

# CONCORDIA UNIVERSITY



## Political Science Student Journal 1981-82

## Foreword

Every student should strive for perfection, and when he achieves it, he should take pride in his accomplishment. This journal, put together by students, is a simple recognition of some of the Department of Political Science's more outstanding papers written over the course of the 1981-82 academic year. These papers reflect the style, and scholarship which all students should seek. Although the journal is an undergraduate project, it is open to students in both the Graduate and Diploma programmes. Selection is based on the recommendations of a professor, a faculty advisor, and the student editorial board. In most cases, papers are submitted through a professor, but students are free to submit their own papers for consideration without prior recommendation by a member of faculty.

We would like to thank the contributors whose hard work made the journal a veritable success. In particular, we extend our appreciation to Dr. Maben Poirier for his thorough and professional criticism. As well, we note the continued dedication of the department's secretaries, Ms. Jeannie Krumel and Mrs. Blanche Gilligan, who without fail have typed the whole project for the past six years. Finally, we recognize the financial help of our sponsors, whose assistance during these hard economic times has made it possible to distribute the journal to all Political Science students at Concordia.

Tim Morson  
Tim Ryan  
Greg Newman

EDITORS



NOTE FROM THE VICE-RECTOR, ACADEMIC

FACULTY OF ARTS & SCIENCE

I am pleased to have this opportunity, once again, to express my congratulations to the students of the Department of Political Science for their diligent work in publishing this collection of essays.

I note the high quality of the Journal, and I commend its contributors on their academic achievement. On behalf of the students, I thank the faculty members in the Department for their guidance and helpful assistance.

This yearly Journal is a mark of the dynamism of the Department of Political Science within the Faculty of Arts and Science. Keep up the good work.

A handwritten signature in dark ink, appearing to read "Russell Breen", with a stylized, cursive script.

Russell Breen,  
Vice-Rector, Academic

August 1982

A NOTE FROM THE CHAIRMAN  
OF THE DEPARTMENT.

I am once again pleased to extend the Department's congratulations to the authors and to the student editorial and publication board for this year's Political Science Student Journal. The sixth annual publication since the journal's first appearance in 1976/77 this year's journal exhibits the scholarly excellence that has been the hallmark of past publications.

Special thanks should be extended to Dr. Poirier who served as faculty editorial advisor as well as to Ms. Jeannie Krumei for her long hours of patient work in typing the manuscripts.

Finally, on behalf of the students, the Department would like to express our appreciation to the Vice-Rector, the Deans of Students and the Dean of Division II for their continued loyal encouragement and financial support.

A handwritten signature in cursive script, reading "Everett M. Price". The signature is written in dark ink and is positioned above the printed name and title.

Everett M. Price  
Chairman  
Department of Political Science.



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FREEDOM OF INFORMATION IN CANADA:  
BREAKING THE VEIL OF GOVERNMENT SECRECY

JANICE TURNER

Introduction

The late George Ferguson, editor of the once-prominent Montreal Star, used to say that the Canadian system of parliamentary democracy was a plot against the people's right to know. His point was that as a result of their role-models in Britain and France, Canadian politicians had come to regard secrecy as one of the end products of the government process. And while Ferguson doubted that this instinct for suppression could ever be altered, he never ceased to challenge it and came to regard it as basic to the Candian condition.<sup>1</sup>

The two freedom of information (FOI) acts tabled since his death would likely not have surprised him. In Canada, as will be seen, the natural (not to mention, national) accent is clearly on concealment--and has been heavily so during the Trudeau regime. Charles Lynch, political columnist for Southam News, commented on the federal Liberals' version of secrecy:

When Trudeau emerged triumphant, he lowered the boom, and struck such terror into his colleagues that, as long as they served him, their lips were sealed.<sup>2</sup>

Behind-closed-doors government, it is true, did not suddenly become fashionable with the election of Pierre Trudeau as prime minister in 1968. To put it kindly, he has simply discovered how to use it best. Canadians, in fact, inherited a system of administrative secrecy stemming from Britain's early period of absolute monarchy, along with the rest of the British parliamentary system.<sup>3</sup> The release of government information, consequently, has been left largely to the discretion of the government of the day. The public's right to know simply



does not exist in either statute or tradition.

This paper will examine, first, the two conflicting philosophies in the FOI tug-of-war; the role of civil servants in the access process: Canada's Official Secrets Act and our government's system of classification; and the conflict between ministerial responsibility and the process of judicial review. Finally, in the later sections of the paper, the Liberal green paper of 1977, the Conservative FOI act of 1979 and the Liberal government access bill of 1980 will be examined in detail, enabling a suggested practical model for our conclusion.

#### Government Access: Right or Privilege?

There are naturally two sides of the coin in the FOI legislative debate and they bring to light two basic conflicting philosophies: 1. That government should have the right to decide what it should disclose to the public; and 2. that in a democracy all government information should be open and accessible to the public.<sup>4</sup>

In Sweden, the right of public access has been on the books (Freedom of the Press Act) for the past 200 years and the principle of open access to government has been entrenched in constitutional law. The United States has had a FOI act since 1966, one that was substantially strengthened in 1974. Here, the government maintains that the protection of information (for the individual, for Cabinet confidentiality, for ministerial responsibility) must be balanced against the release of information. Opponents in the debate maintain that this so-called balance only perpetuates a system where government is an umpire in its own ballgame.<sup>5</sup>

In Canada, unlike Sweden or the U.S., all information is secret unless deemed otherwise. "We have stated the principle the wrong way around," says Donald C. Rowat, an acknowledged expert in the field.<sup>6</sup> Swedish citizens have the right to challenge government officials through the courts or an ombudsman on whether a document has been wrongfully withheld. The length of time during which information may be kept secret is strictly limited. Norway's Public Access Act of 1971 provides that incoming documents become public the moment they arrive in a government office and can be seen even while

they are being processed. Pure curiosity is regarded as sufficient grounds for requesting information.<sup>7</sup>

The principle of "freedom of access" is only the tip of the iceberg. Even where information is not restricted, if provision is not made for informing the public that (a) it exists and (b) how to obtain it, it might just as well be kept under lock and key. Rowat is hardly alone in arguing that the full development of democracy requires active public participation. Secrecy, he suggest, promotes alienation and mistrust between the government and its electorate. Our system, he adds, seems to be based on the premise that we must simply trust the government and hope for the best.<sup>8</sup> In "Political theory and the people's right to know", Peter D. Bathory and Wilson C. McWilliams submit their version of an even balance:

Vindicating the "people's right to know" does not require that all specialized, private and relatively inaccessible information be "made public." It demands, rather, that the public have access to those facts necessary for public judgment about public things, and more important, that it have the greatest possible opportunity to learn and master the art of political judgment.<sup>9</sup>

Under the Canadian system of discretionary secrecy, warns Rowat, the "obligation to inform" can easily become the freedom to propagandize.<sup>10</sup>

#### The Anonymous Civil Service: No News is Bad News

The danger is that governments will continue to engage so few citizens in relevant consultation over the problems of their country that the disaffected, the alienated, the apathetic and the politically ignorant will relentlessly increase their numbers...Some-one should tell these people something.

(from the 1969 federal task force report  
To Know and Be Known, p.3)

It is difficult, the report continues, to participate in the political process if one does not know what one is talking about, and it is difficult to know what one is talking about if one has been unable to obtain the relevant information. At the time the report was published, in 1969, some 800



public servants were employed in government information departments. Fewer than one-quarter of those surveyed for the task force report were "happy" with internal communications and 52 per cent complained they were not kept fully informed about activities within their own departments and information divisions.<sup>11</sup> James Eayrs, professor of political science at the University of Toronto, writing for the report, acknowledged:

All bureaucracies are secretive, some more so than others. Canada's is more secretive than most. Totalitarian capitals apart, only official Canberra comes close to matching that special air of furtive reticence which marks the Ottawa mandarins off from other men.<sup>12</sup>

In the report, criticism of our bureaucratic secrecy came both from members in opposition and the general public. Conservative MPs stated it was "98 times harder" for the official Opposition than for the government to know what is going on in parliament. Members of the NDP claimed there was a tendency on the part of the government to be partisan in the papers it made public -- if it's good news the government releases it when its advantageous, but if it's bad news the government does not want it known.<sup>13</sup>

Members of the media, lawyers, interest groups, scientists, as well as social scientists, to name just a few, are forced, according to the report, to work within equally restrictive guidelines. Scientists complained that the wall of military secrecy imposed by government prevented the free flow of information essential to further scientific development. Social scientists complained of having access to public records only in a limited sense and often at the sole discretion of Dominion Archivists.<sup>14</sup>

While information itself cannot guarantee participatory democracy, the atmosphere that surrounds a government's treatment of information can influence the degree of citizen participation. In 1948, at the United Nations conference on the Universal Declaration of Human Rights, the Canadian government stated that freedom of information was inherent in the Canadian constitution, but nowhere specifically enacted.<sup>15</sup> However, every Canadian federal civil servant must swear an oath of office and secrecy under the Public Service Employment Act and the Criminal Code defines offences, which discourage dis-

closure, including breach of public trust, theft and treason.

Secrecy provisions are included in more than 50 federal statutes, including the Official Secrets Act, a law initially intended to cover spying, but drafted so broadly it blankets a wide range of offences. Prosecutions under the latter are rare, but public servants are aware of its existence and are influenced no doubt by its maximum sentence of 14 years. The Public Service Employment Act allows a civil servant to disclose information when he has the "authority" to do so, although no clear specification of authority appears to exist in most departments or agencies.<sup>16</sup> Any or all of this legislation can be used to prosecute an individual for "wrongful communication" of information.<sup>17</sup>

#### The Official Secrets Act and Other Mysteries

Public information is private government property, asserts VOI crusader Tom Riley.<sup>18</sup> His contention is no more obvious than in the Official Secrets Act, a Canadian piece of legislation virtually identical to Britain's act of 1911. Placing a document under the law is simple: If a senior official or deputy minister wants to withhold information, he need refer simply to the Guidelines for Production of Papers (a 1973 Liberal Brainchild) which outlines four types of government classifications; top secret, secret, confidential and restricted.

Before an individual is permitted access to material classified higher than "confidential", he or she must pass a security clearance by the RCMP. A field investigation is additionally required for those seeking top secret information. Documents are classified largely by the presumed consequences of disclosure and terms are not subject to review. The lowest category, "restricted", is said by some to be a catch-all phrase.<sup>19</sup> Broad estimates have the government withholding some 80 per cent of its information under this category.<sup>20</sup> The 1969 Royal Commission on Security noted the strong tendency, especially among incoming officials, to overclassify documents in order to "play it safe."<sup>21</sup>



(It should be noted that under production guideline legislation an individual can seek the help of an MP in requesting information. But, not only must the MP be persuaded to file a Notice of Motion before the House of Commons, but a citizen must be able to identify the specific document he or she wants. Another deficiency in the process is the 16 exemptions which follow the general principle of disclosure in the statute.)<sup>22</sup>

In "Freedom of Information and Official Secrets," author Heather Mitchell discusses three cases brought under the official Secrets Act and notes the act's recent loss of credibility. The judges in Walter Rudnicki's case, as in the Peter Worthington case, as in the Peter Treu case, she says, were "alarmed and astonished" at the government's abuse of the act. "The government simply cannot get convictions under the act," she says.<sup>23</sup>

Rudnicki's document was not considered secret because it was only a government draft: Worthington's trial showed that simply classifying a document "secret" had no official meaning; and Treu's two year sentence was lifted after the Appeal Court ruled that there was no evidence to support a ruling.<sup>24</sup>

#### Ministerial Responsibility and Judicial Review

Certainly, in politics there is a vested interest in presenting any policy or any decision in the most favorable light. This sometimes means selecting facts or manipulating information. It often involved orchestrating the timing. Full and immediate revelation of all the facts can be embarrassing. I know -- I've been there.

(John Turner, to the Canadian Bar Association, August 30, 1976, six months after his resignation from parliament)<sup>25</sup>

In 1970, Turner, then Liberal minister of justice, introduced section 41(2) of the Federal Court Act. The last time that clause was invoked over a major Canadian issue was in 1977, when then solicitor-general Francis Fox (the same man responsible for introducing the 1980 Liberal access bill) used it to prevent Quebec's Keable Inquiry from getting files dealing with alleged RCMP wrongdoings.<sup>26</sup>

Section 41(2), which effectively enshrines Crown privilege, is comparable to executive privilege in the U.S., a mechanism used by former president Richard Nixon during the Watergate scandal in an effort to suppress information. In Canada, it allows a minister to hide behind the premise of ministerial responsibility where, theoretically, nothing is beyond the power of parliament; where the courts are "subordinate" to the legislative branch.<sup>27</sup>

Successive Liberal governments have espoused the belief that the final responsibility for the release of documents must remain with the Cabinet minister, since the matter, in their minds, is essentially a political concern. Permitting the courts to exercise supervisory jurisdiction would, they have said, violate this cherished convention.<sup>28</sup>

Section 41, as Turner acknowledged during House debates on the Federal Court Act, was an "attempt to codify" the principles of Crown privilege. Subsection (2) of the article states:

When a minister...certifies... that the production or discovery of a document or its contents would be injurious to international relations, national defence or security, or to federal-provincial relations...discovery and production shall be refused without any examination of the documents by the court.<sup>29</sup>

The principle of Crown privilege has, in fact, existed in Canadian law since the 1942 case of *Duncan v. Cammell Liard and Co.* The judgement determined that:

The principle to be applied...is that (a) document ...must not be produced if the public interest requires that it be withheld. The test may be... satisfied either a) by...the contents...or b) by the fact that the document belongs to a class which, on the grounds of public interest, must as a class be withheld from production.<sup>30</sup>

In one sweep, discretionary powers were placed almost exclusively in the hands of the executive. Even then, the courts were criticized for failing to determine what is admissible or inadmissible evidence in such cases.<sup>31</sup> Of major concern was the wording "national security", a broad term which later grew to encompass virtually any aspect of government activity. Observed Murray Ranking in Will the Doors Stay Shut?:

To date (1977), there have been no reported decisions (by the courts) in which the parameters of section 41(2) have been scrutinized, but it seems sufficiently clear that at any time the Canadian Executive sought to camouflage a politically embarrassing document behind the rubric of "national security", the courts would be powerless to inquire further.<sup>32</sup>

Since the early 1940s, ministerial decisions have been essentially placed beyond judicial scrutiny because of precedent and all-encompassing classifications in the Federal Court Act. A 1976 survey of federal parliamentarians revealed to what extent this lack of accountability exists in practical terms. The survey of 17 Cabinet ministers, 36 MPs and nine senators showed that:<sup>33</sup>

Ministers do not grant to the public, as a rule, access to their central registry or record systems.

Ministries do not have, on the whole, formal internal processes of appeal or any procedures of independent arbitration for those denied federal government information.

Ministries appear to have no uniformity in their information access policy directives and oftentimes have conflicting approaches, eg., how they define confidentiality.

Some MPs and senators have themselves, or on behalf of constituents been denied access to certain government information.



## Legislative Attempts at Freedom of Information

On February 12, 1976, the House of Commons unanimously agreed that FOI legislation was necessary in Canada in response to the decisions and recommendations of its own Regulations and Statutory Instruments Committee. Seven months later, the Canadian Bar Association put forth a resolution calling for legislation modelled along the lines of the law in the U.S. A year after that, the Liberals tabled their first "green paper" on FOI, encouragingly entitled "Legislation on Public Access to Government Documents."<sup>34</sup> But the public applause was short-lived.

The initially-lauded draft document retained the principle of ultimate ministerial discretion, as well as the catch-all term "national security."<sup>35</sup> In perpetuating the inadequacies of the Federal Court Act and in maintaining the impasses of the law of Crown privilege, the green paper was a proposal few FOI advocates could take seriously.

The document outlined five options for an "extra governmental review process", including: an "information officer", who would submit annual reports to parliament, but who would not be permitted to issue case by case decisions on whether information should be released; full ministerial control; and, an information commissioner with advisory powers only. Options four and five, a completely independent information commissioner and judicial review, were dismissed as erosions of ministerial responsibility.<sup>36</sup> But the fact that a minister is held accountable to parliament for the activities of his department is not incompatible with a citizen's right to seek documents from the department, says Rankin.<sup>37</sup>

The green paper employs, he later notes, the "quaint yet disturbing" metaphor of football teams to describe the workings of parliament:

Football teams...in the huddle, prepare their action out of earshot. To open up their advance planning to full public examination risks destroying their ability to put plans into action.<sup>38</sup>

Rather than a comprehensive set of proposals, the green paper offered merely a set of options the government considered to be available. Concluded Rankin:

By means of misleading appeals to ministerial responsibility and public service neutrality, the government...clearly revealed its intention to perpetuate the paternalistic tradition of official secrecy in Canada.<sup>39</sup>

Two years later, it was the Conservatives who took up the cause.

#### Bill C-15: Two Steps Forward, One Step Back

The Liberals' approach to FOI, said Globe and Mail commentator Geoffrey Stevens, was, bluntly, "a fraud."<sup>40</sup> And it did not take long before the conservative attempt, Bill C-15, came under almost equally heavy fire. But if neither major federal party has been particularly associated with FOI, one of their members has. Ged Baldwin, Conservative MP for Peace River, Alberta, spent the last 10 of his 22 parliamentary years as the sole Tory freedom fighter for more open government. Baldwin, who retired in February 1980, took up the cause in 1969, when he introduced the first of four FOI private-member bills. Ten years later, the Tories came to power and took Baldwin's pet-project on as their own.

Openness of government became a major Conservative party campaign promise in the 1979 federal election and FOI was among the first pieces of legislation to be tabled once they took power. The bill reached second reading and committee study before the government faced defeat. Bill C-15 was hailed by then Conservative House Leader Walter Baker as a giant step towards democracy. And most members of the media, however critical, acknowledged the initiative; in five months (it was actually Baldwin's years of persistence!) the Tories had produced what the Liberals had failed to accomplish in more than a decade. "Having spent a lifetime kicking at closed doors, I should welcome any move in the right direction, even if it is only a feint," remarked columnist Lynch.<sup>41</sup>



One of the highlights of the bill was an information commissioner -- to be appointed by parliament -- who would have the power to review government refusals and recommend release of information belonging to any department or non-commercial Crown corporation, based on restrictions set out in the act. Final recourse would have been available before the Federal Court.<sup>42</sup> Bill C-15 would also have amended the controversial Official Secrets Act, removing the blanket "national interest" clause. The Tories called also for a repeal of section 41(2) of the Federal Court Act and a review of Crown privilege.<sup>43</sup>

Included in the bill's more than 50 exemptions were such areas as: agreements between the federal government and the provinces, as well as foreign states; information which might harm the defence of Canada; information relating to crime detection and law enforcement; personal information concerning specific individuals; and, Cabinet briefings, documents and records.<sup>44</sup> In contrast to the U.S. FOI act, which contains nine rather limited exemptions, the Tories defined them in minute detail. The detailed clauses and subclauses, rather than serving to reduce, actually widened the scope of the exemptions. In addition, the Conservatives reserved the right to refuse to disclose information which could:

...reasonably (emphasis mine) be expected to be injurious to the conduct by Canada of international relations, the defence of Canada or any state allied or associated with Canada or the efforts of Canada toward detecting, preventing or suppressing subversive or hostile activities, including without<sup>45</sup> restricting the generality of the foregoing....

Such a far reaching clause could only have been matched by the 11 subclauses and further 10 subclauses which followed, including information "which might interfere with the formulation of policy of the government of Canada." Remarkd Stevens of the Globe and Mail:

It is clear from the wording of the bill--and from government sources--that nervous bureaucrats in External Affairs had a profound influence in the drafting. Their influence, it seems, was exceeded only by that of the RCMP.<sup>46</sup>



Although the words "national security" are nowhere to be found in the bill, Stevens suggests the RCMP is "generously protected" without them.<sup>47</sup>

Unlike the U.S. law, C-15 would have only permitted permanent residents to request information. It would have also kept under wraps such commercially competitive Crown corporations as Air Canada, the CBC and Canadian National. The law would have been retroactive, but only for five years. A document "reasonably" thought to be disclosed within 90 days of a request could have been kept secret those three months. The results of products or environmental testing would have been included also under the access ban if considered "misleading". Restrictions on release could have been overridden by a minister or automatically lifted on documents more than 20 years old.<sup>48</sup> An aide who worked on the legislation admitted:

If you think you're going to see another Watergate come out of this legislation, forget it. Most people will have to hire lawyers to decipher the information they do receive.<sup>49</sup>

The process of gaining access under C-15, as with any other such law, would have depended more on departmental efficiency, the goodwill and competence of government officials, than the statute itself (not to mention the \$25 application fee). In the U.S., agencies are given 10 days to produce a reply. The Tories would have given Canadian administrators 30 days.<sup>50</sup>

However plagued with loopholes, C-15 took one important step towards greater access. It placed the onus on the government to prove why information should not be released, rather than on the citizen to prove why it should. As Canada's weekly news magazine noted when the bill was tabled:

While the Conservatives were thumping themselves on the back, the Liberals laid low. Opposition leader Pierre Trudeau sheepishly left the Commons minutes before the bill was introduced-- to avoid the embarrassment of seeing legislation tabled which he had philosophically espoused but never managed to foster.<sup>51</sup>

### The Liberals Take a (Reluctant) Stab at FOI

In May of 1980, Peter von Stackleberg, a reporter for the Regina Leader-Post, was flatly refused, by the department of health and agriculture, studies on about 40 widely-used pesticides. Refused in Ottawa, he obtained, through the U.S. FOI act, a series of memos written on Canadian government letterhead which stated that the Chicago lab that did the original tests on a common pesticide called Captan had "falsified data."<sup>52</sup> The Canadian documents indicated that some offspring of pregnant guinea pigs exposed to the chemical did not suffer lack of eye pigmentation, as the Chicago lab reported, but were born without eyes. As well, there were alarmingly high occurrences of cancer among the lab animals.<sup>53</sup>

At that time, Canadian officials were operating under prime minister Pierre Trudeau's dictate that they should act in the spirit of the impending Bill C-43 -- the Liberal access to information legislation and combined privacy act, which was later tabled in July of 1980. And the irony was that by refusing to release the tests, they were doing just that. "It appears as if Canadian legislators wrote C-43 in the spirit of the Official Secrets Act," observed Maclean's Ian Anderson.<sup>54</sup> For all its advance-billing, C-43 today remains languishing before the Commons justice and legal affairs committee, where it has been now for more than a year. Communications minister Francis Fox, the man responsible for the bill, says the government is responding merely to renewed pressures from the provinces which would like to see the bill watered down. It's probably the first time in memory, observers say, that the Liberals have appeared so concessionary vis-a-vis the provinces, knowing full well how unlikely it will be to get all governments to agree.

Heading the list of provincial objections is the proposed abolition of Crown privilege, specifically a section of the bill which would give the courts, rather than cabinet ministers, the final say on which documents could be made public.<sup>55</sup> The other side in the debate, advocates of FOI, are unhappy with the scope that would be allowed a judge in reviewing a minister's



decision to refuse release. Proponents of greater government access say a judge must be able to look at the documents in question and decide whether they should be released under the law. Bill C-43, on the other hand, seems to limit the judge to rule only on whether the minister has the right to disclose the documents.<sup>56</sup> Once passed, the bill's provisions will come into effect gradually. Information prepared prior to 1976, for example, will not be available until 1983. Like Bill C-15, Bill C-43 would release information to Canadian citizens and permanent residents only. Final appeals would similarly go before the Federal Court.<sup>57</sup>

Since Pierre Trudeau took office in 1968, no less than 33 secrecy provisions have been enacted in Canadian law. That is nearly half of the 72 secrecy provisions in the statutes of Canada listed in a 1976 study by the Library of Parliament.<sup>58</sup> In keeping with that tradition, many of the provisions in the bill appear broad enough to establish a system of administrative secrecy which the Official Secrets Act failed to do.<sup>59</sup> The bill contains 13 broadly-worded exemptions under two umbrella categories, permissive and mandatory. Under the former exist such areas as: federal-provincial affairs (C-15 said "negotiations, a somewhat narrower term); international affairs, the defense of Canada; information concerning law enforcement and investigation; anything expected to threaten the safety of individuals; affecting the economic interests of Canada; testing procedures, tests and audits and information subject to solicitor-client privilege.<sup>60</sup>

Exempt under the latter are: financial, commercial, scientific or technical information supplied to the government by third parties in confidence; memoranda to Cabinet, Cabinet discussion papers and other Cabinet documents; advice, recommendations, consultations, deliberations, provisions or plans made during negotiations; and information required under other statutes to be kept from the public.<sup>61</sup> Ministerial discretion would still be permitted under the permissive category. Under the mandatory heading, however, a minister would have to refuse release.<sup>62</sup> "It doesn't provide better access as such, but it provides citizens or permanent residents with a right to ask for access," comments Heather Mitchell, Toronto lawyer and acknowledged expert in the field.<sup>63</sup>



Cabinet documents would be protected for 20 years, although a minister would be able to order disclosure. Information on the way to Cabinet could also be withheld. Section 20 of the bill would effectively blanket all information on pesticides, drugs, hazardous products and pollutants. All information supplied for testing to the Canadian Government Specifications Board could be kept under wraps.<sup>64</sup> Under Section 52, the courts would be required, if ruling under the mandatory provision, to order a minister not to disclose. This section, argues Mitchell, effectively allows the government to "ride on the coattails of the court's power." Anyone found releasing information following a court order could be found in contempt of court or jailed for disobeying the court order.<sup>65</sup>

Apart from all the exemption loopholes, the financial cost of access could be very high. A citizen would have to pay three times before even finding out whether information exists (if under "top secret", the government may deny it anyway) and he or she would have to pay whether or not the documents are seen.<sup>66</sup> The fourth time a citizen pays would be for photocopying costs -- in fact, the only fee imposed in the U.S.

More openness and accessible government? Baldwin put it in his own terms: "Frankly, if I was a citizen, I wouldn't believe a damn thing the government says."<sup>67</sup>

### CONCLUSION

The text of C-43 opens promisingly:

The purpose of this Act is ...to provide a right of access to (government)information...in accordance with the principle that government information should be available to the public.<sup>68</sup>

Clearly, as we have seen, the bill's stated principle far exceeds its reach. FOI has never been a "sexy" issue for Canadian politicians, as the proposed legislation attests. What is at stake, however, is far more than greater access -- it is an entire way of governing. In order to participate in the democratic process, outside of simple ritualistic voting, the public

must be armed with the necessary political knowledge. The "people's right to know" has often been equated with the protection of the "power of the people."<sup>69</sup> As it stands now, Canadians have very little of either. Because we have grown accustomed to a system of administrative secrecy, hardly makes it right.

Whether a system based on the U.S. model would work here is open to interpretation: the "activism" of the American judiciary is surely foreign to the British Parliamentary system. Courts here have preferred to interpret law in often its most narrow form, rather than "make" law. The relative position of the executive branch in Canada has swelled to the detriment of parliament and even the tradition of ministerial responsibility is being eroded. Can we, then, afford not to have FOI legislation?

Ideally, an FOI act should require that all government departments, boards and agencies maintain indexes of the studies, reports and other records under their jurisdiction and these indexes should be available in both federal offices and public libraries. The government should be forced to comply with narrowly-defined exemptions, as well as strictly-defined deadlines on release. All information, even the most sensitive, should be subject to in camera review. The Official Secrets Act, the Federal Court Act and our system of document classification should all be overhauled and the costs of litigation should be borne by the government in all but exceptional instances, where judicial review is required.

Canada must follow the lead of the U.S. and provide means for the average citizen to scrutinize government activity. Today, the government remains torn between two options: unearthing a few bureaucratic skeletons, or placating the provinces. And although the latter appears more likely, the government can no longer be allowed to escape the public eye by clinging to 19th century notions for support.<sup>70</sup>

## FOOTNOTES

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7. Ibid., p.187.
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18. Tom Riley, "Time is Here for Foes of Secrecy to Push Freedom of Information Law", Content, October, 1976, p.2.



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20. Riley, p.6.
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RECENT RELATIONS BETWEEN CHINA AND JAPAN

EDITH M. KATZ

## INTRODUCTION

This paper will attempt to give an empirical account of relations between Japan and China from the period leading up to normalization of diplomatic relations in 1972 to current relations in 1981. It will concentrate on the factors which influenced both countries in the timing and nature of negotiations, formation of policy and the contexts of their policies towards each other.

The motives of the Chinese in their Japan policy are complex and are partly economic, partly strategic. While they wish to prevent closer ties between Japan and the U.S.S.R., they also oppose any tendency of the Japanese to dominate Asia. China accepts the present relationship between Japan and the United States but might not defer to a closer one.

Japanese perspectives have changed radically due to the "shocks" administered by the United States. Nixon's unheralded announcement of his visit to Peking, the sudden imposition of import surcharges in August 1971, and pressures forcing a revaluation of the yen, were seen as strong-arm tactics. Conflicts in economic relations altered attitudes towards the United States.

One can form only tentative conclusions about the relations between China and Japan. The information that is available does not contain first-hand accounts of negotiations or personal documents. The sources consulted for this paper, books and articles by specialists in the field of Asian relations, point out that predictions and assessments are subject to revision when archival material becomes available.

## I. THE BACKGROUND TO NORMALIZATION, 1965 - 1971

## A. Trade Relations

In late 1960 Zhou Enlai defined a set of principles applying to trade. These principles would allow trade with Japanese traders on a private basis, "friendly trade", fulfilling preconditions monitored by

the Japan Communist Party (JCP) or by pro-Peking organizations such as the Japan-China Trade Promotion Association.<sup>1</sup> In exchange, specified types of commodities would be sold. A major step towards increasing trade was an agreement signed in 1962 by Tatsunosuke Takasaki, former head of Japan's Ministry of International and Industry, and Liao Cheng-chih, head of the Japan-China Friendship Association. This memorandum became the basis of "L-T Trade" over a five-year period, and it also covered financial arrangements for trade. The Chinese had long tried to exchange trade missions with Japan as a step to de facto diplomatic relations. An exchange of liaison offices was arranged with the Chinese personnel responsible for keeping contacts with businessmen and with overseas Chinese communities in Japan.<sup>2</sup>

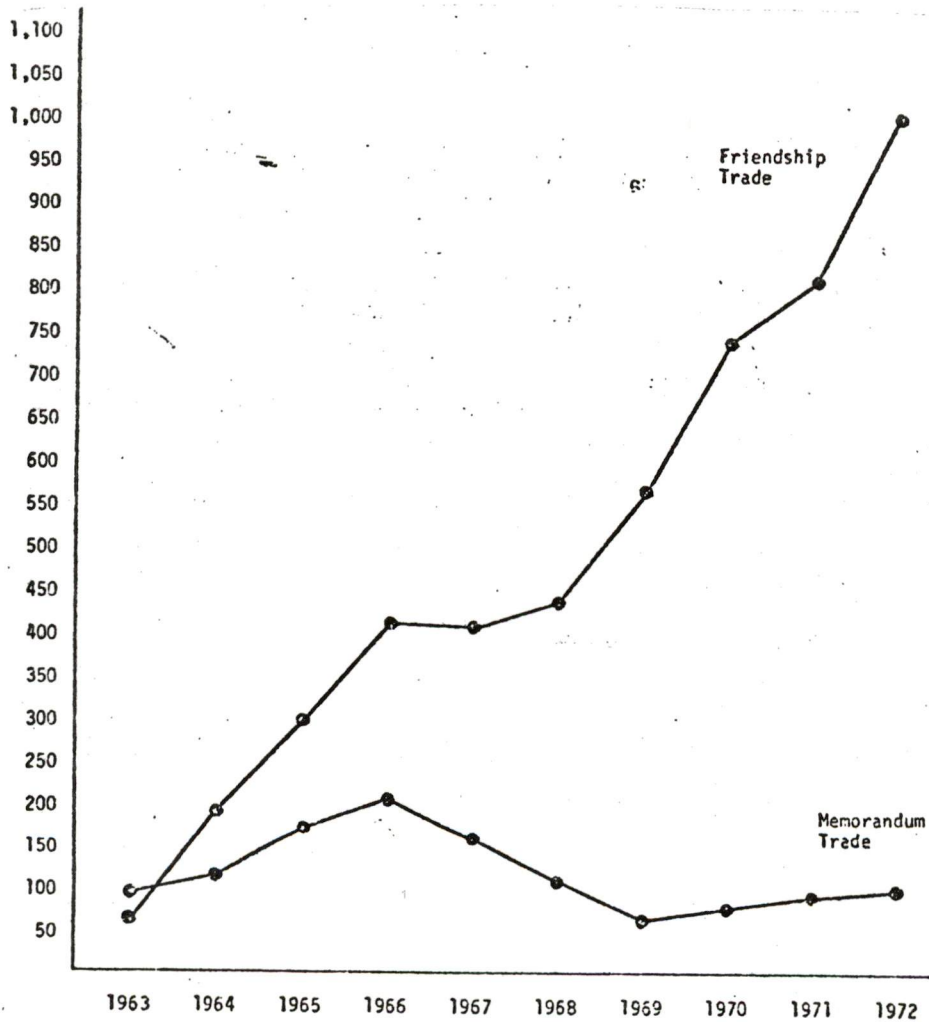
By the mid-1960's China showed interest in buying turn-key projects from Japan. Taiwan protested at the idea and the Japanese backed away. Prime Minister Ikeda had former Prime Minister Yoshida deliver a letter to the Taiwanese government pledging that Japan would not authorize the Export-Import Bank to finance trade with China. The "Yoshida Letter" to Chiang Kai-shek was renounced in August 1965 as being private, and not binding on the Japanese government. However, the intent expressed would be followed by Japan.

Influential conservative leaders constituted a Taiwan lobby to protect links, economic and others, between Japan and Taiwan. They had formed the Asian Problems Study Group in 1964 which was the official lobby.<sup>3</sup> In the ruling Liberal-Democratic Party (LDP) leaders tried to maintain separation of political and economic matters but the party was divided. Anti-mainstream factions proposed that the Export-Import Bank be used to finance China trade. The Chinese supported the policy of the Japan Socialist Party (JSP), who were in favour of trade expansion to lessen dependence on the United States.

The Japanese Association for the Promotion of International Trade was used as the principal tool of China's economic policy in Japan.<sup>4</sup> The Chinese and Japanese Associations signed friendship trade agreements and minutes that praised Mao's thought and denounced four common enemies: U.S.



Memorandum Trade and Friendship Trade: 1963-72  
(in millions of dollars)



Source: Chae-Jin Lee, Japan Faces China: Political and Economic Relations in the Post-war Era, (Baltimore and London: The Johns Hopkins University Press, 1976), p. 160.

imperialists, Soviet revisionists, Japanese reactionaries, and JCP revisionists. The Soviet Union ended its relations with the Japanese Association in 1967.<sup>5</sup>

The left in Japan was splintered during this period and a number of groups broke up into separate entities. The Japanese and Chinese Communist Parties split in 1966-67 over issues relating to the Sino-Soviet conflict, Vietnam and revolutionary strategy. The upheavals of the Cultural Revolution were responsible for a decline in trade. Japan protected domestic producers of meat and rice, and China was unable to meet Japan's demands for corn and coal. The Chinese principle of balanced trade led them to seek agreements in Western Europe.<sup>6</sup> In 1968, "L-T Trade" was extended for one year and became known as Memorandum Trade. The following graph shows a comparison of Friendship and Memorandum Trade from 1963 to 1972. The unofficial trade flourished throughout the uncertainties of relations in this period.<sup>7</sup>

Sato's visit to the United States in 1969, which resulted in the Nixon-Sato Communiqué intensified China's concerns about U.S. military involvement in East Asia. The Statement said that Korea was "essential" and Taiwan "important" to Japan's security.<sup>8</sup> A Chinese propaganda campaign started against Japanese militarism. The activities were directed at various political groups in Japan such as the Dietmen's League and leftist organizations. The campaign met with moderate success in influencing opinion about military affairs in Japan.

#### B. "People's Diplomacy"

Zhou Enlai again set out principles to govern Sino-Japanese trade in 1970. China pressed for endorsement of them as a prelude to normalization. The anti-militarism campaign had awakened debate in Japan about Sino-Japanese relations, and the issue of trade became more prominent. Zhou's principles stated that China would not deal with firms that traded with or invested in Taiwan or South Korea, sent arms to Indochina or were linked to American firms in Japan.<sup>9</sup>

The Chinese prepared for an eventual shift in Japanese policy by gathering information about domestic politics, by sending experts to Tokyo and by inviting leading businessmen and politicians to Peking.<sup>10</sup> By the end of 1969 they relaxed the anti-militarism campaign.

### C. The International Context of Sino-Japanese Relations.

Towards the close of the 1960's Japan was having problems with its American trade, and the U.S. had built up a huge deficit in trade with Japan. Protectionist forces in the U.S. began to assert themselves and a bitter fight over textile imports from Japan caused deterioration in the political climate.<sup>11</sup> Many Japanese manufacturers and traders were alert to possibilities elsewhere, particularly the opening Chinese markets.

Border clashes with the Soviet Union in 1969 along the Ussuri River modified Chinese perceptions of their security situation and ranking of enemies. Direct military confrontation showed China's vulnerability, highlighted against the backdrop of the invasion of Czechoslovakia.

## II. EVENTS LEADING TO NORMALIZATION

### A. China's Japan Policy and "Linkage"

The Chinese were aware of heightened interest in trade by Japanese businessmen, and, in line with their policy of acquiring political leverage through economic relations, they seized their chance of weakening the Japanese position over Taiwan. They were concerned particularly about identification of security interests between Taiwan and Japan. Thus the renewal of the Memorandum Trade Agreement on March 1, 1971 reiterated Zhou's principles and the inseparability of economics and politics, as the basis of relations.<sup>12</sup>

### B. The Political Arena in Japan

In March 1969 the JSP, unlike the LDP and JCP, recognized the Ninth National Congress in China and prepared to lead a movement for Sino-Japanese diplomatic normalization. Pro-Peking Dietmen asserted their positions more boldly. The Dietman Furui Yoshimi, in April of that year, signed a joint communiqué on trade with China's Assistant



Deputy Minister of Trade. In the statement, Furui admitted that the Japanese government was responsible for deteriorating relations, the Japan-Taiwan Peace Treaty was illegal, the government of the People's Republic of China is the only legitimate representative of the Chinese people and that Taiwan Province is an inseparable part of China's territory, and that this must be the basis for the promotion of normalization.<sup>13</sup> The JSP hailed the communiqué as a "programmatic document". The LDP Vice-President dissociated the party from the statement. However, neither the Japanese government nor the LDP formally repudiated the charges.

The JSP sent an official mission to China in October 1970, and at home revived the League for Japan-China Trade Promotion. They organized a National Congress for the Restoration of Japan-China Diplomatic Relations.<sup>14</sup> The opposition parties were also active and through the Dietmen's League adopted a resolution deploring the "anachronistic ties with Taiwan." This revolt against Sato's policies was unprecedented. The JCP was on the fringes because of its differences with the CCP.

Even within the JSP there were factions which differed on whether trade promotion or ideology was more important. Consensus was reached and they organized a mass rally with pro-normalization groups representing a wide spectrum of economic, political and cultural interests.<sup>15</sup>

The LDP had pro-Peking, pro-Taipei and non-aligned factions of all shades. Spokesmen emphasized the need for consensus within the party and between the party and the Foreign Ministry. At a meeting of China specialists and some ambassadors it was recommended that the government change its policy. Consequently, Sato, in a speech to the Diet in January 1971 for the first time referred to China by its proper title.<sup>16</sup> On September 10, 1971, he spoke of the need for a one China formula. Japan co-sponsored a U.S. resolution in the United Nations making the China issue an "important question." However, Japan supported seating two China's at the General Assembly, and the PRC on the Security Council.<sup>17</sup>

The pro-Taiwan lobby was in an uproar, and the Chinese assailed Sato's hypocrisy. Japan suffered a loss of face when the PRC won sole

recognition in the UN. Sato's leadership was severely damaged. Although Sato modified his policy in early 1972 and disavowed the "Yoshida Letter" completely, Peking did not warm to negotiations with him. Tanaka was viewed as a more acceptable leader, and when he took leadership of the LDP in July 1972 Peking moved decisively. After less than three months in office, Tanaka went to China to establish diplomatic relations. He had shown an understanding of Zhou's principles for negotiations, and China insisted on acceptance of them as a precondition for opening talks.

This pattern was repeated after 1972 and it served two purposes. It established a bargaining position and, once Japan conceded on a certain point, China could be generous over details of the agreement. Concessions could be exploited in future dealings and general, vague language left room for reinterpretations. Long arguments over broad principles, once resolved, might be followed by rapid conclusion of negotiations.

### C. The "Nixon Shocks"

The sudden announcement on July 15, 1971 that President Nixon would visit China in the spring of 1972, produced shock in Japan. The American ambassador had assured Sato that the U. S. would not move to recognize China without prior consultation.<sup>18</sup> The Japanese government insisted that Japan must have an independent policy guided by national interest.

After the "Nixon Shocks" Japanese newspapers took public opinion polls to determine its impact. In reply to the question whether they supported immediate negotiation for diplomatic recognition, 63 per cent answered "yes", 13 per cent replied "no" and 24 per cent had other answers.<sup>19</sup> While 82 per cent favoured normalization with Peking, 72.2 per cent wanted to retain trade and tourism relations with Taiwan.<sup>20</sup> Only 2.6 per cent were for maintaining recognition of Taiwan as the government of China.<sup>21</sup>

Recriminations between leaders of the LDP and officials of the Foreign Ministry were bitter. The politicians accused the officials of failing to inform them of impending American shifts, of misjudging the international situation and of acting with disregard for internal factors. The bureaucrats said that Sato had been indecisive and contradictory in his policy and as it was a high level problem, it should have had the



attention of top-ranking leaders.

The Japanese quickly announced their new policy. Bans were lifted on the import of primary products from China, North Korea, North Vietnam, East Germany, Albania and Mongolia. A Japan-China trade office was set up and missions of businessmen planned trips to China and cancelled visits to Taiwan. The government suspended a yen credit to Taiwan. Demand for places at the autumn Canton Fair more than doubled.<sup>23</sup>

The Chinese permitted a pragmatic application of the principles for trade, for example by allowing the Toyota Motor Company to do business in spite of its 80 per cent share of the South Korean automobile market. The Chinese promoted the isolation of Taiwan. By the end of 1971, the president of Keidanren, the most powerful and influential of the major economic organizations in Japan, called for normalization as soon as possible.

At the same time, Russian threats regarding Japanese relations with China were combined with hints of advantages to come if Japan signed a peace treaty with the Soviet Union. After Tanaka became Prime Minister relations cooled with the U.S.S.R., and China supported the Japanese side in disputes over the Kurile Islands.

### III. NORMALIZATION OF RELATIONS AND SUBSEQUENT EVENTS

#### A. The Zhou-Tanaka Communiqué

Tanaka went to Peking on September 25, 1972, and four days later a joint communiqué was released. It called for immediate diplomatic ties and conclusion of agreements on "aviation, trade, navigation, fisheries, etc.," as well as a treaty of peace and friendship. Recognition was given to the People's Republic of China as the legal government of China. The Japan-Taiwan Security Treaty was abrogated after a statement was issued. The Chinese renounced any claims to reparations for World War II damages.<sup>24</sup> Two issues were not mentioned: the Japan-U.S. Mutual Security Treaty and economic relations with Taiwan. Japan reaffirmed its adherence to the Potsdam Proclamation regarding Formosa as a part of China.<sup>25</sup>



As agreed, Japan and China exchanged their respective embassies. Tanaka sent personal envoys to several Asian capitals, Australia, New Zealand, the United Nations, and the Soviet Union; and Ohira went to the United States to explain their position.<sup>26</sup>

Wolf Mendl gives two possible interpretations of the joint communiqué. One is that the Japanese were vague in using words like "understand" and "respect" rather than "accept" and "agree". Japan gave Taiwan a clearer statement by terminating the 1952 Treaty. Japan closed its embassy in Taipei after Taiwan severed relations. Ohira told a reporter that economic and cultural relations would continue. A second interpretation highlights Japanese acquiescence to China's superior position. In agreeing to the principles beforehand, Japan might hope to gain greater advantages later. In this case, Taiwan had a more symbolic than strategic significance for China.<sup>27</sup> It represented a diplomatic victory and the affirmation of China's claim to Taiwan.

#### B. Agreements concluded on trade, aviation and fisheries.

Trade expansion was more crucial to China than to Japan, percentage of exports, and as an aid to industrialization and development. China obtained steel, metals, machine tools, chemicals and fertilizers, transportation and mining equipment, and complete plants. Japan received textiles, food, coal and oil. On December 5, 1972, the Japan-China Economic Association started to organise trade and keep order among the eager Japanese companies. All restrictions on credit financing through the Export-Import Bank were lifted. A three-year pact was signed January 4, 1974, but some restrictions imposed by COCOM were retained, and sixty items were taken off the list of forbidden items. Japan had been forced to join COCOM in 1952 when it was set up as a consultative body to regulate trade between the United States and Western Europe and the Communist bloc.<sup>28</sup>

Two-way trade climbed from \$1.1 billion in 1972 to \$3.3 billion in 1974. Japan's chief interest was in oil. Personal contacts rose to a new high when, in 1973, more than ten thousand Japanese visited China.

China's contacts with Japan became greater than those with any other country. In perspective, one must note that over four hundred thousand visitors from Japan went to Taiwan in the same year.<sup>29</sup>

New economic links with Taiwan were made but the protected negotiations on a civil aviation agreement boded ill for the future. China would tolerate only private communications and objected to reciprocal arrangements of Japan Air Lines and China Air Lines, which flew the national flag of Taiwan. Japan ended flight service with Taiwan and opened new services with the Civil Aviation Authority of China (CAAC). Subsequently, flights were resumed by "dummy" companies of JAL and CAL.<sup>30</sup>

Fisheries negotiations became blocked by China's intransigent position on maintaining extensive zones of control along her coasts, and even extending them. Japan made many compromises in the final agreement which was signed in August 1975 for a three-year period.<sup>31</sup> Territorial rights in the East China Sea and rights over ocean resources were left unsettled.

The LDP was in disarray and discredited by the Lockheed scandal; its domination of the Diet was in doubt for the first time. The opposition parties were not able to overcome their dissensions. After Tanaka resigned at the end of 1974, Miki formed a coalition government composed of factions backed by Deputy Prime Minister Fukuda Takeo and LDP Deputy-President Shiina Etsusaburo, both of whom were supported by pro-Taiwan factions.<sup>32</sup> Miki continued talks with Moscow even though Japanese financial involvement in the development of the Tyumen oilfields was ruled out after the aviation agreement with China was completed.

#### IV THE ANTI-HEGEMONY CONTROVERSY

##### A. Development of the Issue

Hegemony, in the Chinese sense, was a concept of hierarchy based on moral superiority. After the Second World War, opposition to hegemony arose in relation to the super-powers. The nature and development of the anti-hegemony issue is central to Sino-Japanese relations in the period leading up to the Treaty of Peace and Friendship. Japanese



leaders did not suspect that this would be an issue until early in 1975. Taiwan was perceived as the more likely obstacle. In the 1975 constitution, China denounced super-power hegemony and the significance of this principle being codified was not appreciated immediately. A fresh debate started in Japan similar to the one that had taken place prior to normalization.

Mainstream and anti-mainstream factions of the LDP were ready to exploit this new issue for their own advantage. The Miki coalition was concerned that anti-hegemony would jeopardise an unsettled dispute over the Kurile Islands, or even hamper Japan's economic activities in Southeast Asia.<sup>33</sup> It could be turned around against themselves by the ASEAN countries where Japanese foreign investment was growing.

In April 1975, Japan and China exchanged drafts of treaty texts, the Chinese one containing an anti-hegemony clause. Pressures started to mount on Miki to accept the Chinese draft, and to conclude talks. Miki wanted to include the Article 7 wording of the Zhou-Tanaka communiqué, which read: "Neither of the two countries should seek hegemony in the Asia-Pacific region and each country is opposed to efforts by any other country or group of countries to establish such hegemony."<sup>34</sup> All the leading groups opposed the anti-hegemony clause as being inflammatory to the Soviet Union.

#### B. Japanese Interests and Attitudes

Party politics continued to revolve around the issues that might embarrass the ruling faction.<sup>35</sup> Lee states that originally, Japanese negotiators accepted the hegemony clause in the 1972 communiqué because they were preoccupied with other issues, Taiwan, reparations, the Senkaku Islands.<sup>36</sup> Miki upheld the communiqué and the Foreign Ministry worked out a formula whereby anti-hegemony would be part of the treaty preamble rather than the text. The civil service supported a policy of equidistance. Business was not as engaged in the controversy as it had been during the normalization debate. The prevailing media view was in favour of equidistance and a firm stand in the face of China's demands.<sup>37</sup>



In September 1975 Foreign Minister Miyazawa moved to break the deadlock, and he enunciated four principles which would permit inclusion of the anti-hegemony clause in the text: (1) the clause is not directed at any particular country: (2) it did not imply joint action against any state which might seek hegemony in the region: (3) it applied to all parts of the world: and, (4) the anti-hegemony provision agrees with the spirit of the United Nations Charter.<sup>38</sup> China did not respond to this by a change in her position and maintained the emphasis on super-power, U.S. and U.S.S.R., anti-hegemony.

#### C. A Lull in Progress of Negotiations.

Kosaku Zentaro succeeded Miyazawa as Foreign Minister in September 1976, and fresh initiatives were hoped for. Domestic crises in both countries held back progress. On December 24, 1976 in a close election, Fukuda Takeo became Prime Minister, and Hatoyama Ichiro Minister of Foreign Affairs. Relations with the Soviet Union and China dominated domestic political issues.<sup>39</sup> Fukuda dissociated himself from Miyazawa's four principles and Furui Yoshimi met with Chinese leaders to mediate a new consensus.

Confusion in China after the successive deaths of Zhou and Mao, the purge of Deng Xiaoping and the Tangshan earthquakes prevented headway being made in negotiations.<sup>40</sup> In July 1977 Deng was reinstated and by October Hua Guofeng was Chairman of the CCP and Huang Hua Foreign Minister. Again China conducted a campaign in Japan to influence discussion of the anti-hegemony issue. This time they directed their moves towards the JSP, and they won over the leader, Narita. Press reaction was hostile in Japan because as he broke the consensus on the policy of equidistance. Moscow launched an attack against him that showed how they might react if a treaty were produced.<sup>41</sup> Finally, China won over the pro-Peking LDP leaders and in a Diet speech in January 1978 Fukuda "made it clear that, in view of the multi-polar international climate the time was ripe for serious treaty negotiations."<sup>42</sup> Hawks and doves were lined up on both sides of the treaty issue. The anti-treaty arguments centred on fears of entanglement in Sino-Soviet conflict, and

on provocation of the U.S.S.R. against Japan's interests. The doves viewed the treaty in positive terms, helpful in promoting Asian stability and enhancing Japan's prestige. They felt that the Soviet Union could not afford to alienate Japan.<sup>43</sup>

Fukuda prompted negotiations for several reasons. Elections for the LDP presidency were coming up in November, the hawks' faction was his traditional ally, and he hoped that the treaty would strengthen his stature internationally. He saw that the U.S. was en route to normalization and he wanted to stay ahead of them and avoid another "Nixon Shock". The Foreign Ministry continued to oppose closer China relations in favour of a balanced position.<sup>43</sup> He had to win them to his point of view.

On April 12, 1978 about one hundred and forty Chinese armed fishing boats entered the twelve-mile waters of the Senkaku Islands. The reasons could not be proven allowing Fukuda not to react strongly, and thus to avoid contentious issues which would slow negotiations.

## V THE TREATY OF PEACE AND FRIENDSHIP

### A. Conclusion and Evaluation of the Treaty

Both sides were prepared to conclude negotiations, and, following the Foreign Ministers' meeting in New York in May, it was agreed to meet again in Peking. On July 21, 1978 an eight-member delegation went to Peking for a three-week round of talks. Sonoda, the Foreign Minister of Japan, arrived on August 8th and the next day a bargain was struck.<sup>44</sup> Part of the reason for quick results was the scheduled departure the following week of Hua Guofeng, on August 15th, to Rumania, Yugoslavia and Iran.

On August 12th Huang and Sonoda signed the five-article treaty in Peking's Great Hall of the People. The treaty was ratified a few days later by the Standing Committee of the Chinese National People's Congress. In October both Houses of the Diet approved it with only five votes against and seventeen absences among the LDP "hawks". The treaty came into effect on October 23, 1978.<sup>45</sup>



Japan accepted China's previous proposal that the treaty be effective for ten years. Deng Xiaoping promised that China would abrogate the Sino-Soviet Peace Treaty, and would not create another crisis over the Senkaku Islands. Deng did not challenge Japan's declaration of sovereignty over the islands and reiterated that the April 12th incident had been accidental.

The patterns of negotiating behaviour, covering a period of several years, analysed by Lee,<sup>46</sup> give an indication of the form that relations may take in the future. Both countries followed a tough business-like process with exchanges of face-saving compromises and concessions. Symbolic rather legalistic interpretations of the treaty's contents were considered. Format and language were carefully decided. Misperceptions and misunderstandings were evident in regard to serious points of policy, and to anticipated reactions. There was only a limited importance of ideological differences and common cultural heritage. Pragmatic factors, economic interests, strategic concerns and regional political interests predominated. China had tactical advantages with a uniform diplomatic front and media secrecy. The Chinese were able to exercise a greater degree of political autonomy, and could appeal to Japanese feelings of guilt about the War. Domestic factors were important in the timing and process of decision-making in Japan. Changes in leadership and shifts in priorities affected the Japanese side of negotiations. Unlike 1972, when non-government actors such as the media, public opinion, and lobbies had been active, the Prime Minister and Foreign Minister played central roles in treaty negotiations. Both countries perceived their bilateral relations in the context of their global and regional policies.<sup>47</sup>

The treaty was a concise, simply-worded document consisting of a brief preamble and five articles. Article II contained the anti-hegemony clause: "The contracting parties declare that neither of them should seek hegemony in the Asia-Pacific region or in any other region and that each is opposed to efforts by any other country or group of countries to establish such hegemony."



## B. Response to the Treaty

In Japan the treaty was praised by political parties, business, labour and the media. The only dissenting voice was the JCP. There were some critical opinions that a realistic, less emotional appraisal of the treaty's significance was needed in light of Japan's national interests. It was also pointed out that China was fundamentally opposed to the liberal democratic system. Evaluations of Japan's accomplishment in reaching the treaty were submitted by academics and former diplomats.

The Chinese response was stated in the People's Daily of August 14th: " ... the signing of the treaty seems to have put a thorn in the flesh of the Soviet Union ... the treaty proclaims the ignominious bankruptcy of the Soviet social-imperialist plot to interfere and sabotage."

The Soviet Union condemned the treaty as a "prelude to a NATO of the East."<sup>49</sup> They did not take concrete retaliation, merely issued a warning to Japan. This confirmed the prior assessment that they needed Japanese economic cooperation and stable relations.

## VI CURRENT RELATIONS: 1979 - 1981

### A. Economic Problems and Adjustments

After Mao's death and the downfall of the Gang of Four, Hua Guofeng reasserted pragmatism, and the return of Deng Xiaoping in July 1977 accelerated the "four modernizations" programme. The goal of rapid growth, emphasizing large, capital-intensive industries, demanded foreign borrowing and the import of technology and managerial expertise. The traditional opposition to these measures was ignored in Deng's new development strategy. China's dwindling foreign reserves and mounting foreign debt constrained his implementation of this new plan,<sup>50</sup> and some foreign contracts had to be frozen.

At the first ministerial meeting of Japanese and Chinese officials held in Peking on December 3rd to 5th, 1980 topics covered were economic relations, the Cambodian situation, the Middle East, and U.S. - Soviet

relations. It was announced that contracts held by three Japanese companies for a U.S.\$100 million acrylic resins plant at Peking was threatened and that construction had stopped. The second stage of a U.S.\$5 billion steel mill in Shanghai was post-poned, and municipal authorities there delayed negotiations on a U.S.\$22 million joint venture with the Sanyo Electric Company to make refrigerator compressors.<sup>52</sup>

These projects had been financed through a U.S.\$20 billion three-part loan agreement signed in May 1979. China borrowed dollars because the steady appreciation of the yen would result in the enlargement of the debt. The large provision of capital was not completely successful in helping China continue with projects that had been suspended or postponed. Japan, pressed for the loan because she was under tremendous international pressure to utilise her trade surpluses. In this regard the two economies were seen as being complementary.

Obstacles to cooperation were acknowledged in a three-page report on the first ministerial conference published in Beijing Review.<sup>53</sup> It concluded, "despite different social systems, the two nations share a common interest ... the future is bright." However, their shared military and strategic dependence on the United States, distrust of the Soviet Union and economic interests were offset by growing competition for influence in South and Southeast Asia.<sup>54</sup>

#### B. Taiwan and Korea

For the past century Taiwan and Korea have been loci of conflict between China and Japan. Now, many Japanese businessmen accept the principle of Peking's authority over Taiwan, with Japan retaining a modified form of investment combined with a preferential export position. This is based on the assumption that Taiwan will inevitably become part of China.<sup>55</sup> Tokyo acknowledges that Taiwan should be part of China but not that it is. The PRC tolerates continued economic activities but recovery of Taiwan is an important national goal, symbolic of national unity. As long as Sino-Japanese relations have a high priority the Taiwan issue will not be pressed hard, with China using gradualism and propaganda to work towards reunification. Japanese policy will be deter-



mined by the importance attached to the material stake, considerations of national security, (especially as they affect sea routes,) and domestic policy issues. Taiwan itself holds the key to the future. There is no strong nationalist movement and a formal declaration of independence seems unlikely.

Korea remains an unstable situation. At the close of talks between Prime Minister Ohira and Hua Guofeng in Peking on December 11, 1979, a joint communiqué was issued.<sup>56</sup> In it they declared that they agreed to disagree on two foreign policy issues: Indo-China and the Korean Peninsula. The leaders agreed on the need to lessen tensions in the Korean Peninsula with reunification the ultimate goal. Ohira said that the main obstacle for China was the "lack of democracy" in South Korea. Hua stated there was no possibility the North would attack the South. The following year, in May 1980, South Korea was one of the topics discussed when Hua visited Tokyo.

North and South Korea are under restraint by the four big powers because of the strategic importance of the peninsula. Japan sees it as vital to her security and has huge economic interests in South Korea. China views Korea as an independent, though divided, nation with which it has historical and strategic ties.<sup>57</sup> The regime in the South is criticised politically by China, and its survival is problematic. The United States is committed to support it as part of the security agreement with Japan. Any disruption in Korea is unlikely because of the delicate balances of the geo-political situation in the area.

#### C. The Senkaku Islands

Sovereignty over the Senkaku Islands is a specific issue within the general issue of continental shelf and ocean-bed resources' exploitation in the East and South China Seas. China and Japan have moved to show sovereignty and to present each of their cases. Japan has done scientific surveys in and around the islands, and China has asserted its claims publicly. Valuable oil resources have been discovered and both are eager to exploit them. The clarification of zones of sovereignty awaits international agreement. Fishing activities are also in



question. Japan and Korea resolved their conflicts by signing a pact in 1973 calling for joint exploration of the ocean-bed. China declared that action was invalid, and therefore she would not use the same method with respect to the Senkaku Islands area. So far, this problem has been brought up when other issues were being negotiated. It is not a leading issue on its own, demanding solution.

#### D. Security and Military Issues

Security and military issues hinge on strategic factors, the big powers' interests in the East Asia-Pacific region, and domestic economic factors in each country. China's concern that Japan might form a security group with Taiwan and South Korea was alleviated when Tanaka, in 1974, abandoned the position that the protection of Taiwan was part of the U.S.-Japan Mutual Security Treaty.<sup>58</sup> China accepted the Mutual Security Treaty on these terms. The security of Japan is dependant on its relationship with the U. S. How reliable the Japanese perceive the American umbrella and the U.S. policy of deterrence, will decide Japan's own military policy. China's military development, particularly nuclear weapons, is another factor in Japan's policy. The military policy of China is taken as being directed only against the Soviet Union. Within Japan, there has been opposition to large defence expenditures, and at the same time, public opinion favours a strong Defense Force.

The Defense Force is limited in size and is non-nuclear. It cannot protect Japan from a major attack. The Japanese constitution renounces and has provisions prohibiting the maintenance of any but defence forces. Pacificism among the people reinforces the ban. The Defense Force is armed with sophisticated conventional arms, and the Mutual Security Treaty provides additional protection. China has encouraged this reliance and discouraged offensive military forces for Japan.

The sea lanes in the East China Sea are of strategic importance because the route through the Paracel and Spratley Islands is a primary path for tankers between Japan and the Middle East by way of the Malacca Straits. It is also a region through which Soviet vessels pass to enter the Indian Ocean. China's use of force to take over the Paracel Islands

from Vietnam in 1974 indicated the strategic value of the islands for observing naval movements. By using force China showed the strength of her desire for control of the area.<sup>59</sup>

The security dimension of Japanese-Soviet relations also involves a dispute over four of the six Kurile Islands, north of Japan. They were deemed essential for Soviet maritime security in Northeast Asia. Japan has insisted the islands are part of her territory; and they occupy a strategically important area. In addition, the U.S.S.R. wants to weaken the U.S.-Japan Mutual Security Treaty and institute a "collective security" plan in Asia.<sup>60</sup> In this plan Japan would become an eastern outpost for bilateral or multilateral pacts. The plan is very unlikely because Japan, like China, views the Soviet Union as its only real security threat.

Soviet forces on China's borders, concentrated along the Outer Mongolian front, have been reported to be equipped with tactical nuclear weapons, bombers and ICBM's.<sup>61</sup> Security on other fronts, therefore, is of the highest priority.

The economic factors in Japan's and China's military policies centre on their relations with the United States. Japan has been seen as having a "free ride" in defence, spending only a small per centage of her GNP. Foreign aid was minimal as well.<sup>62</sup> Another irritation with Japan was the unbalanced trade between the U.S. and Japan in favour of the latter. The protectionist policies of Japan were heavily criticized. On the Japanese side, as was mentioned in the introduction, there was resentment due to the "Nixon Shocks", the perceived misunderstanding of Japan's vulnerability with respect to resources, and the frequent earthquakes and natural disasters in the country. The Japanese criticized American uncontrolled inflation, low productivity and low rates of personal savings.<sup>63</sup> These were seen as weaknesses in U.S. policies. However, because Japan is more militarily dependent than the U.S., the adjustment will be on her part. In the future Japan will undoubtedly have to assume more financial responsibility for her defence.



China's military modernization will rely on foreign arms purchased from the United States and Western Europe. By the terms of the Japanese constitution and national policy, she cannot provide any military support whatsoever.

## VII CONCLUSION

China uses momentous occasions to reiterate the significance of the Soviet threat. During the first ever visit of a Chinese head of government to Japan, when Hua Guofeng was in Tokyo in May 1980 for six days, he stated that the Soviet intervention in Afghanistan was part of their global strategy and the other countries must "close ranks".<sup>64</sup> He also said that pro-Soviet régimes in Vietnam and Cambodia could be used as springboards to gain control of the Malacca Straits, a statement that, if true, would instantly arouse Japanese anxiety. China has been aware that Japan is unwilling to take a hostile position towards the Soviet Union, but Chinese leaders use their meetings to warn against the threat publicly.

Economic issues will continue to dominate relations. Japanese business sees opportunities in China that will relieve pressures in other areas, balance of payments surpluses, rising market protection in other countries, and raw materials supply, particularly oil and coal. The report, in Beijing Review, of the Second Conference of Sino-Japanese Government Officials, which was held in Tokyo, presented the joint communiqué. It announced that work was progressing on the Friendship Hospital being built by Japan in Peking, and that exchange visits by Prime Minister Suzuki and Premier Zhao Ziyang will take place during 1982 on the occasion of the tenth anniversary of the normalization of relations. The communiqué also stated that talks centred on matters of trade, finance and economic cooperation.<sup>65</sup>



The Left in Japan, students, intellectuals, labour and opposition parties, have tended to be pro-Peking even though they disagreed with specific aspects of ideology. Support for Japan's China policies is widespread from these groups and business, and from the tradition of consensus. There is a strong pacifist feeling that maintains the current military policy of non-nuclear arms. This implies continued reliance on the U.S. umbrella.

China will continue to use unsettled issues as bargaining tools in future negotiations with Japan and will seek non-military assistance on favourable terms. The need for transfers of technology and capital, and the policy of balanced trade will influence relations for the foreseeable future. For the present they appear to have many mutual interests that could be satisfied through closer relations. In the following chart of trade figures, the trend of accelerating trade relations can be seen.

Clearer perceptions of each others' interests and objectives have evolved in the past decade by negotiations and exchanges. Thus a better understanding will lead to cooperation and reasonable settlements in the future.



Source: Wolf Mendl, Issues in Japan's China Policy,  
(London: The Royal Institute of International  
Affairs, 1978), p. xvii.

Japan's Trade with China: 1955-80

(in millions of yen)

	<u>Exports</u>	<u>Imports</u>
1955	10,277	29,080
1960	980	7,462
1965	88,213	80,894
1970	204,796	91,375
1973	282,895	263,758
1974	580,522	380,573
1975	669,806	454,912
1976	496,599	406,549
1977	521,068	415,710
1978	633,035	425,240
1979	803,877	647,743
1980	1,140,787	977,794

Source: Japan Statistical Yearbook 1981, (Tokyo: Price Minister's Office Statistics Bureau, 1981), p.304.

FOOTNOTES

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## LE TRAITÉ DE CARTHAGÈNE OU PACTE ANDIN

FRANÇOIS BRISSETTE

Il y a maintenant plus de trente ans, la Commission Economique des Nations-Unis pour l'Amérique Latine (CEPAL) amorçait certaines pressions dans le but "d'établir un nouveau cadre pour le développement économique du continent latino-américain"<sup>1</sup>

Ces efforts avaient pour but de remédier aux problèmes majeurs identifiés aux pays latino-américains, soit, le sous-développement, et la faiblesse de leurs poids politique au niveau international.

Ces pressions devaient aboutir d'abord à la création de l'Association Latino-Américaine de libre-commerce (ALALC) en 1960, dont les objectifs ultimes étaient d'établir une union douanière et un marché commun pour ses pays membres (idéalement, tous les états d'Amérique du Sud).

Malgré ces nobles intentions l'ALALC fut limitée dans ses actions par ses structures institutionnelles trop rigides qui l'empêchèrent de s'adapter à différentes situations économiques et politiques. Ainsi, elle fut incapable "d'aplanir les différences de niveaux de développement, (et) les disparités dans les mesures économiques et financières adoptées par les pays".<sup>2</sup>

C'est essentiellement cette faiblesse qui fut à l'origine de la démarche de certains de ses pays membres qui établirent le 18 Août 1966 la "Déclaration de Bogota" annonçant la volonté de promouvoir une association sous-régionale qui compléterait l'esprit du traité de Montevideo (ALALC) en relançant l'intégration régionale. Il s'agissait alors de la Colombie, le Chili, le Vénézuëla, l'Equateur et le Pérou.

Un peu plus tard, soit en 1968, le Chili, la Colombie et le Vénézuëla établirent à Caracas la Corporation Andine de développement (Corfo-Andina) qui se veut une corporation multinationale, propriété des gouvernements des pays - membres et de leurs secteurs économique privés, dont le but est de permettre une meilleure utilisation des ressources disponibles en planifiant le développement national et en concrétisant ces objectifs. Elle doit donc repartir d'une manière équitable et rationnelle les investissements à même les \$100 millions de capital fournis par les pays membres.<sup>4</sup>

Mais l'achèvement principal de la "Déclaration de Bogota" fut la création le 26 Mai 1969 du pacte Andin où "Accord de Carthagène" auquel adhérèrent la Colombie, le Chili, l'Equateur, le Pérou et la Bolivie. Le Vénézuëla dû se retirer suite aux pressions du milieu industriel qui craignait de ne pouvoir résister à la concurrence étrangère mais signa finalement le traité en Février 1973.<sup>5</sup>

L'idée de l'accord de Carthagène était donc de remédier aux faiblesses de l'ALALC en regroupant un nombre moindre de pays ayant des similitudes au niveau du développement et des structures économiques.

Une telle union pourrait "renforcer leurs capacité de négociation en réduisant leur dépendance commerciale, financière et technologique".<sup>6</sup>

La particularité du Pact est d'aspirer au développement coordonné des des pays membres. Il ne s'agit donc pas de renforcer la "complémentarité des économies" mais plutôt de favoriser un développement qui tient compte des inégalités régionales, notamment en appliquant des régimes, préférentiel à l'intérieur des politiques établit.  
(chose qu'avait négligé de faire l'ALALC)

Concrètement l'accord visait à établir un programme de libéralisation commerciale avec échancier (union douanière), un programme de développement industriel sectoriel, une politique commune à l'égard des capitaux étrangers et aussi, donc un régime préférentiel en faveur des pays relativement moins développés.<sup>7</sup>

La politique commune à l'égard des capitaux étrangers était très importante lors de la création de l'accord puisqu'elle visait à protéger les pays membres de la mainmise des multinationales (majoritairement américaines) situé sur le territoire et dans les pays voisins (Brezil, Argentine, Mexique)<sup>8</sup>

C'est cette politique largement nationaliste qui fut plus tard à l'origine des frictions internes et, ultimement, de retrait d'un de ses pays membres.

Au niveau de la structure institutionnelle, l'accord prévoit deux organes principaux soit la "commission" et le "comité" (Junta), qui sont aidé dans leurs travail par des organes consultatif soit, le "comité consultatif" et le "comité consultatif économique et social".

La commission constitue l'organe politique supérieur. Elle est composée de représentants gouvernementaux des pays membres, plus précisément des membres plénipotentiaires. Elle tient trois sessions ordinaires par an, mais pourra se réunir en session extraordinaire à la demande d'un des états membres. Son travail consiste à coordonner les plans de développement et voit à "l'harmonisation" des politiques économiques. "Dotée de compétences internes, elle nomme à l'unanimité les membres du comité, approuve le budget annuel, détermine les contributions de chaque état membre et propose tout amendement à l'accord".<sup>9</sup>

Le comité est relativement original de par sa conception, et reflète bien la volonté profonde de ses membres pour une coordination des activités. Le comité est constitué de trois membres, nommés par la commission qui peuvent provenir de n'importe quel état d'Amérique Latine mais qui doivent être indépendants de leurs gouvernements respectif au niveau de leurs actions.

Leur travail consiste à veiller à l'application de l'accord en soumettant des recommandations et des propositions à la commission et en exécutant ses "décisions".<sup>10</sup>



Le comité est donc particulier en ce sens qu'il propose, conseil et exécute les décisions de la commission et aussi du fait que 3 membres seulement (possiblement étrangers) y agissent au nom des cinq pays membres (six de 1973 à 1976) donnant ainsi au comité un caractère plus objectif et indépendants.

Cet "organe de négociation" doit donc agir de façons efficace sans dépasser les limites légales de son mandat, défit de taille vue sa situation.

Deux comités consultatifs servent de lien entre les pays membres et l'organisation.

Le "comité consultatif" formé de représentants des états-membres présente les vues des états membres sur les points concernés, au comité exécutif.

Quand au "comité consultatif économique et social" il est constitué de chefs d'entreprises et de représentants de travailleurs et les représente à la communauté.

Enfin, le groupe Andin s'est doté récemment, soit, le 26 mai 1979, d'un organe juridique essentiel à sa bonne marche, c'est à dire un tribunal de justice.<sup>11</sup>

Ce tribunal est le fruit d'une longue démarche qui s'était amorcer le 11 décembre 1972 par le "rapport de projet de traité pour la création d'un tribunal de justice de l'accord".

Constituée de trois juges nommés d'un commun accord, le cour andine à une compétence d'attribution; mais dans ses limites, ses pouvoirs sont exclusifs.<sup>12</sup>

Elle veillera entre autre, à la légalité des actions du comité.

En ce qui a trait aux procédures, la encore le traité de Carthagène fait preuve de flexibilité appréciable à l'égard des pays désavantagés. Ainsi, la règle générale de vote requérant une majorité de deux tiers, se

trouve modifié par le statut d'état "de moindre développement économique relatif" soit pour l'Equateur et la Bolivie, qui bénéficient par cette disposition d'une sorte de droit de veto pour les politiques les concernant directement.

Par contre il est à noter que la politique initiale du traité qui prévoyait l'adhésion automatique de tous les états-membres aux programmes enterminés par la communauté, a été modifié en 1976 suite aux pressions du Chili et prévoit maintenant la possibilité pour un pays membre qui aurait voté négativement, de ne pas adhérer au programme, où même d'adhérer plus tard si il le désire.<sup>13</sup> Cette modification fut perçue par plusieurs observateurs comme étant un net recul face à la position initiale.<sup>14</sup>

Ce n'est malheureusement pas le seul recul qu'accusa la communauté. En effet les échéances prévues par le traité concernant l'alignement d'un tarif extérieur commun de même l'élimination des barrières douanières furent constamment retardé.

Le 5 octobre 1976, la suppression des droits de douane et des autres restrictions commerciales entre les pays membres, qui était prévue pour 1980 pour le Chili, le Pérou et la Colombie et pour 1983 pour l'Equateur et la Bolivie fut retardé à 1983 et 1988, puisqu'elle constituait une mesure très contraignante pour certains pays.

Malgré cela, un progrès certain a été enregistré. Depuis 1973, la plupart des produits Boliviens et Equatoriens sont commercialisés librement à l'intérieur des pays du pacte. Pour les autres pays, les droits de douanes avaient été réduits de 50% en 1976.

Le commerce inter-régional est passé de \$112 millions en 1969 à \$765 millions en 1977.

Malgré tout, ce commerce ne constitue que 5% du commerce extérieur des pays andins qui font surtout affaire avec les U.S.A. et l'Europe de l'Ouest.<sup>15</sup>

La politique commune du traitement des capitaux étrangers fit couler beaucoup d'encre au moment de son entrée en vigueur.

Cette politique qui vise essentiellement le contrôle national des capitaux étrangers fixait à partir du 1er juillet 1971 certaines obligations importantes à l'égard des capitaux étrangers, à savoir, la limitation des secteurs ouverts aux investissements étrangers, la nationalisation d'un pourcentage minimum du capital investis, devenant ainsi une société mixte et le plafonnement du rapatriement des bénéfices à 14%.<sup>16</sup>

Cette politique fut particulièrement critiquée par la Colombie qui craignait voir fuir les investisseurs. Cette mésentente alla devant la Court-Supreme Colombienne qui considéra inconstitutionnelle, la loi adoptée par le Pacte.<sup>17</sup>

Le Chili qui fut un des initiateurs du pacte andin, modifia sa position face à la politique d'investissements étranger après le renversement de gouvernement Allende en 1973. Il devint alors un fervent adversaire de cette politique.

Cette nouvelle position engendra nombre de friction à l'intérieur de groupe andin. Ces pressions arrivèrent à modifier légèrement les conditions d'investissements mais trop peu pour le Chili qui décida de quitter le groupe en 1976.<sup>18</sup>

Par contre ces modifications réussirent à apaiser le "Council of Americas" organisme représentant plus de 200 entreprises Nord-Américaines qui avait réagit violemment face aux politiques adoptées.

En fait, les investissements étrangers n'ont pas cessé d'affluer chez les pays membres depuis 1969 (sauf au Chili de Pinochet, et au Pérou de Velasco). Au contraire le Chili semble en être sortit perdant, d'après les estimations de département d'état, puisqu'il n'a pu attirer beaucoup d'investissements étrangers.



Le Pacte Andin connu divers problèmes jusqu'à présent.

D'abord dès le début des années "70", il dû faire face à un risque d'éclatements lorsque le plupart de ses pays membres firent d'importantes découvertes au niveau des ressources naturelles.<sup>19</sup>

Il y eut aussi certaine frictions entre le Vénézuéla et la Colombie au sujet de la main-d'oeuvre illégale qui traversait les frontières en grand nombre.<sup>20</sup>

Mais malgré tout, le groupe andin réussit à traverser deux importantes crises avec succès:

Soit, à résister aux pressions du "Council of Americas" et autres, face à la politique des capitaux étrangers, et ensuite de résister aux pressions de certains de ses membres (Chili, Colombie) face à cette même politique.

Avec aujourd'hui, la présence d'une Cour de Justice Andine, le groupe andin saura probablement éviter des crises internes comme celle de 1976 lorsque les membres eurent de la difficulté à s'entendre sur la nomination des 3 nouveaux membres du comité.

La principale faiblesse attribuée au Pacte Andin, est son incapacité apparente à pouvoir équilibrer, et coordonner les différences de développement, entre les différentes régions, à l'intérieur même, des pays membres, qui sont souvent innégalement développés.<sup>21</sup>

Certains reprochent aussi au pacte d'avoir largement favorisé la Colombie qui est un des pays les plus développés du groupe.

Mais malgré ces carences, qui l'espèrent-on pourront être remédié, le pacte andin constitue par sa conception et son originalité un modèle de développement économique pour des pays sous-développés.

Jusqu'à maintenant, le Traité de Carthagène peut donc, sous plusieurs aspects être considéré comme un succès, dans la limite où des rivalités de

"blocs sous-régionaux" ne deviennent pas un danger pour l'Amérique Latine. Le "Bassin du Rio de la Plata" un regroupement de pays sous régime militaire perçu par plusieurs comme la contre-partie du Pacte Andin, pourrait effectivement devenir à long-terme une source de frictions avec les membres du Pacte Andin.

Reste à voir, si le groupe andin saura s'adapter à cette situation et conserver son idéologie de "continuité" du traité de Montevideo, à savoir, la coordination du développement de l'Amérique Latine en tant que telle.

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## QUEBEC'S FINANCIAL ADMINISTRATION ACT (1971).

## FROM A CRITICAL PERSPECTIVE

GLENDA ZUKER

On March 6, 1971, an article appeared in the Financial Post, announcing that vast changes were being planned in Quebec Public Administration. It stated:

The province's administrative machinery is undergoing a massive revamp that could, eventually, make it a model other provinces may wish to study. (Furthermore, it) could provide Quebec with the most efficient government in Canada.<sup>1</sup>

This visionary piece of utopia was in reference to the Financial Administration Act (FAA), contained in Bill 55, and passed in the Quebec National Assembly in 1971. The Liberal Government, under the leadership of Premier Robert Bourassa, had tried to project an image of administrative efficiency. Premier Bourassa was, at the time, proposing that Quebec needed only to strengthen her economy in order for its sociological, cultural and ideological problems to 'fall into place'. The idea was that a more business-like government could deal effectively with the sources of disquiet in Quebec.<sup>2</sup>

In the pages to follow, the basis of my discussion will be centered on an analytical review of Bill 55, with respect to its provisions, how it came to be, and whether or not the FAA was successful in its intent. Thus, in the final analysis, what I am proposing to do is to try and determine whether the Financial Post's prediction, regarding Quebec becoming the most efficient government in Canada, did, in fact, become a reality.

The major provisions of the FAA refer to the changes in the functions of the Provincial Auditor, the Minister of Finance, the Treasury Board and the budgetary system.<sup>3</sup> These changes restructured the entire financial administration of the government. Due in large part to the rapid increase in the Quebec

government's size over the previous 10 years, management structures sufficient at the beginning of the 1960's were no longer adequate for efficient management. The intent of the Act was to try to restrain the growth in expenditures and to provide a means of regulation and coordination in order to gain control over government expenditures, and to increase government efficiency.

The Provincial Auditor up until this new act was responsible for pre-auditing the provincial accounts as well as the conventional post-audit, a function normally expected of a government auditor. With Bill 55, the Provincial Auditor, whose name was changed to that of Auditor-General, now had only one function, that of post-audit, which is the checking of the books following the end of the year to ensure that funds were spent not only as authorized, but also in the best interests of the government.

The pre-audit function, which is to ensure that the authority and funds are on hand to undertake government expenditures, and to countersign every cheque drawn on the government's account, was now assigned to the Comptroller of Finance, formerly called the Comptroller of the Treasury.

The Act placed within the responsibilities of the Minister of Finance the duty of carrying out research, advising the government on economic, fiscal and budgetary policy, preparing the public accounts and managing the cash on hand and public debts.

The Treasury Board now exercised statutory powers in all sectors of administrative policy, was responsible for the preparation of estimates, as well as the controlling of expenditures, and also exercised the powers assigned by law to the Lieutenant-Governor-in-Council on matters relating to personnel. Moreover, the Act created the Treasury Board Secretariat. Highly specialized economists, accountants and technocrats (super-bureaucrats) were gathered to work for the Secretariat, which in essence, formed the nucleus of the Treasury Board. These top civil servants were recruited not only to manage the day-to-day business of government, but also to give political advice.

Traditionally, the government budget has been regarded as a crucial and functional document, having a three-fold purpose:



1. To provide the legislature with a means for controlling the executive.
2. To define the parameters of the workings of the Bureaucracy.
3. To furnish the cabinet with a plan for future operations thus serving as an instrument for policy-making.<sup>4</sup>

With Bill 55, there was a shift away from the narrow focus of control toward broader conceptions of management, planning and policy-choice. It called for the introduction and implementation of the Planning, Programming and Budgeting System, (PPBS) by 1973. PPBS required a change in the format of the budget estimates from the traditional organization/line-item, to a program/activity basis. Its main objective was to have enabled the legislature, the cabinet and its committees, and the departmental management to make more rational decisions based on programs and activities, rather than using the traditional objects of expenditures such as salaries, travel, maintenance, etc. Now, under Bill 55 and this new system, the various departments had the authority to decide on the merits of their expenditures, once the appropriations had been voted by parliament.

The foregoing outline of the Financial Administration Act's major provisions illustrates the Liberal Government's attempt to institute and protect the 3 'E' values of public administration, namely: efficiency, effectiveness and economy. The Act enabled the cabinet and its executives to be left with sufficient time to deal more effectively and efficiently in the policy-making business of government. The Treasury Board, as the main administrative committee of the cabinet, served as an effective channel through which all line departments, as well as all other central agencies, communicated with the cabinet.

As was previously mentioned, the main reasoning behind the FAA was based, to a large extent on the size of the government. In 1960, the budget of the Quebec Government was \$600 million, the number of civil servants - 22,000. In 1970, these figures jumped to \$4,000 million and 50,000 civil servants.<sup>5</sup> However, the need for a strong Treasury Board arose from the growing reality by the Liberal Government that the initial reasons behind the creation of the Civil Service Department in 1968, were too simplistic. In 1968, the



consulting firm of Urwick, Currie & Partners, was hired by Marcel Masse, Minister of the newly founded Civil Service Department, to coordinate a project for developing practices and methods to modernize personnel management in the civil service, as well as to eliminate and/or minimize any conflicting areas of jurisdiction or management policies, specifically the merit system and collective bargaining. Their report recognized the need to define central policies of personnel management. Therefore, centralized management with delegated responsibility was essential for efficient administration within the public service.<sup>6</sup> However, their report, and the reforms being implemented at the time were not concerned with financial administrative reform. The impact of collective bargaining on the growth of expenditure and the increase in government services were not as widely felt in 1968 as they were in 1971. Therefore, the impetus for reform centered around the creation and expansion of the Civil Service Department and not on the Treasury Board. This, coupled with the fact that the Civil Service Department was such a 'watered-down' version of its original mandate, due in part to the weakened position of the Union Nationale Government following Daniel Johnson's death, led the Liberal Government to realize a new approach to government administration.

Another, and perhaps a more important catalyst for the development of a powerful Treasury Board was the Federal government's Royal Commission on Government Organization, better known for the Glassco Report.<sup>7</sup> Since it was presented in 1962, the report has served as the most influential factor in modernizing public administration within Canada, both at the federal and provincial levels. The popular slogan, "Let the Managers Manage", was a product of this report. Essentially, the Glassco Report recommended that departments be vested with the authority and responsibility to manage their own personnel. Decentralization would serve 2 purposes: 1) it would permit the development of a unified public service by eliminating anomalies in personnel administration, (i.e.: some departments and agencies were allowed to manage their personnel and others were not); 2) the central agencies (e.g.: the Treasury Board) would be allowed to play the role logically assigned to them, that of general policy determination and coordination within the public service, as well as an evaluative responsibility regarding personnel administration activities in order to assure that the demands of the concept of accountability were met.<sup>8</sup>

With respect to financial administration, the following recommendations were a few put forth by the Glassco Report:

1. Departmental estimates be prepared on the basis of programs of activities and not by standard objects of expenditures.
2. All departments and agencies be required to prepare and submit to the Executive long-term plans of expenditure requirements by programs.
3. Departments and agencies be given the necessary financial authority to be held accountable for the effective management of the financial resources placed at their disposal.<sup>9</sup>

Other recommendations put forward concerned the roles of the Auditor-General, the Comptroller of Finance and the Minister of Finance.

Thus it can be shown quite clearly that the Quebec Financial Administration Act was founded on the basis of the Glassco Report. This report, combined with the bureaucracy of the Civil Service Department, provided the impetus for this reform. Central control and coordination were needed and had to be exercised by something over and beyond the administrative structure, namely, the Treasury Board. Furthermore, in order to avoid making the Treasury Board another bureaucracy, as was the case with the Civil Service Department, it had to have no operational functions, except for its responsibilities in policy-making, evaluations and control.

As to the success or failure of Bill 55, the emphasis of my discussion will deal as much, if not more, with personnel management than financial management, as accountability cuts across both disciplines.

The FAA, with respect to its reforms concerning the management of the financial affairs of the Quebec Government, has been the most effective and successful reform policy in Quebec to date. With the implementation of a refined Planning, Programming and Budgeting System (which better reflects the scope and limitations of the Quebec Government), the Act has provided for an analysis of the functions of each department of government, Crown Corporations, and other commissions or regulatory agencies of government. This has, in effect, provided the Quebec Government with a more complete overview of its current and potential financial position. In turn, this has



enabled the cabinet and its executives to make sounder judgements and decisions regarding the establishment of its priorities. This is not to imply that I am in agreement with the established priorities of Quebec. Furthermore, in light of my last statement, it would be unfair to criticize the Act with respect to the current economic condition here in Quebec. The situation we face today had not reached crisis proportion at the time of the development and implementation of Bill 55, and thus did not serve as an influence. The FAA did, in the final analysis, reach its goal by modernizing the financial administration of the Quebec Government with the introduction of the concepts of efficiency, effectiveness and economy.

It is in the area of personnel management that I think the Act failed. Due to the political agenda of the Bourassa government, that being one of economic orientation, as well as having an 'incrementalist' attitude towards reform, Bill 55 did not address itself to the on-going problems and issues facing personnel administration. In reviewing the state of personnel management at the time of Bill 55's implementation, one must remember that the rapidity of changes experienced in Quebec with respect to personnel administration had no parallel phenomenon occurring in other Canadian governments, either provincially or federally. The enormous stresses of introducing collective bargaining (almost overnight), without adequate planning for a strong, well-defined managerial cadre to cope with its implications, provided a constant source of unrest within the public service. The Glassco Commission, and to some extent the FAA, tried to develop a framework around which the enigma of collective bargaining could be managed effectively. However, it is the political character of public administration that has proven to be an important undermining factor in this area. The Bourassa Government, in trying to gain support from the trade unions had, in effect, 'bought them off' through their collective agreements. Obviously this gave the unions a sense of power, which was illustrated in the Common Front Crisis during Bourassa's 2nd mandate.

The concept of centralization of overall policy decisions and decentralization of operational details did not solve the traditional problem of the division of responsibilities among the various central coordinating agencies. Although the divisions were now a little less ambiguous, the departments were



still weak in many areas of personnel management and consequently were still overly dependent on the central agencies. In addition, the central agencies were (and are still) fearful of total decentralization because of their long history of centralized control. Furthermore, by centralizing policy-making decisions, civil servants were excluded from contributing to policy formulation. Yet, it was the civil servants, since the Quiet Revolution, who were deeply involved in the growth and reform of efficiency and effectiveness in Quebec, including the realm of policy-making. It has been repeatedly illustrated and well documented, that the success of a program cannot be divorced from the effective and efficient use of the human resources allocated for its functioning. Aggravating this problem all the more was the Bourassa government's failure to exercise its policy-making options once the transition of policy-making power to the cabinet had been made. As stated earlier, the Liberal Government was not interested in instituting new policies and reforms, but, rather it was 'incrementalist' in its approach to these areas.

The introduction of the new management technique of PPBS came without any real evidence of the government's commitment to follow-through with the managerial philosophy that would have to underlie any public service effort to make this program work. Furthermore, the preoccupation with 'career development' during the expansionary days of the late 1960's, created a false sense of expectations among the civil servants. In the end, these expectations never materialized. Complicating this apparent 'lack of commitment' attitude of the government were the conflicting political moods of expansion and austerity.

Perhaps the Quebec Public Service grew too fast over too short a period of time, so that any reform measure taken was quickly outgrown. Yet, Quebec is not alone in this dilemma. In his article, Where Did We Go Wrong, or Did We?<sup>10</sup>, the former Chairman of the Public Service Commission of Canada, John J. Carson states:

Just as financial administrators are having to re-examine their standards, their qualifications and their performance (...) so should the personnel community examine its standards, its qualifications and its performance. But as every personnel administrator knows, allocating or assessing blame in the field of employee - employer relations is usually a futile

exercise. There is no question that we (have) built a 1st class and impressive system of personnel administration.<sup>11</sup>

Since the introduction of the FAA in 1971, new pressures have been exerted, new trends have developed, new demands have been voiced, and, as always, problems have been raised and identified. Thus in closing, I refer once again to the prediction by the Financial Post regarding Quebec becoming the most efficient government in Canada. In light of my analysis of Bill 55, I have to conclude that Quebec may not be the most efficient government in Canada. But more importantly, it is just as efficient as any other government in Canada, including the federal government.

## FOOTNOTES

1. "Quebec plans vast changes in public administration", The Financial Post, March 6, 1971, p.Q'11.
2. André Larocque, "Political Institutions and Quebec Society", Quebec Society and Politics: Views From the Inside, (Dale Thomson ed.) p.86.
3. Raymond Garneau, "La réforme de l'administration financière au Québec", Canadian Public Administration 14, Summer 1971, pp. 256-270.
4. Marsha A. Chandler & William M. Chandler, Public Policy and Provincial Politics. Toronto: McGraw-Hill Ryerson Limited, 1979. p.124.
5. The Financial Post, op.cit., March 6, 1971, p. Q 11.
6. "Personnel Policies revamped in provincial civil service", The Financial Post, March 1, 1969. p. Q 12.
7. Canada, The Royal Commission on Government Organization: Management of the Public Service, Ottawa: The Queen's Printer, 1962. Vol.1.
8. Ibid., pp., 136-142.
9. Ibid., pp. 90-99.
10. John J. Carson, "Where did We Go Wrong, or Did We?", Optimum 9 (22), 1978, pp.14-22.
11. Ibid., p.20.

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## THE QUEBEC LABOUR MOVEMENT

TIM MORSON

## INTRODUCTION

There is no doubt that the singular importance of the labour movement in Quebec has been related to its ability to mold events, indeed, to reshape society. From its early beginnings as a mere dissenting voice in a traditional, rural and Catholic society, labour has evolved into one of the principal social forces now trying to consolidate its power in the "new " Quebec, and in the process establish, once and for all, the nature of its alliances. Since the late forties, the Quebec labour movement has become a decisive factor in the turn of events which have affected the outlooks and strategies of many other political groups. Traditionally, all labour studies undertaken before the late seventies in Quebec have relegated labour's role to one which was part expression of the nationalist aspirations of French-Quebec, and as a result labour was characterized as just one of many cogs in that great historical wheel of Quebec nationalism. Or, inversely, the labour movement's role in the province was magnified out of all proportion by the subscribers to Marxism, who interpreted the role of the labour class and labour movement as one which was necessarily in the forefront of all change, and this approach led to studies dealing with that oft repeated phrase - 'the leading role of the working class.' In both cases, labour's role is predetermined and the conclusions which are reached are inevitable from the very beginning.

This paper adopts a different approach. Sure enough, credence must be leant to some of the studies which see labour as an expression of Quebec nationalism or as a movement inextricably entwined in the "class struggle."

These studies all highlight certain elements of the growth and coming into being of the labour movement, but they are far from comprehensive. Labour has had a variety of roles in Quebec history, more or less progressive in that the trade union movement went from a bit player on the provincial scene to a major actor actively engaged with other actors of provincial and national prominence. Labour's role should not be seen as subservient to the role of nationalism, nor as that of a small dissenting movement opposed to the political and economic forces of Quebec. On the contrary, labour should be viewed as one of a number of important social forces functioning in Quebec. These social forces, of which the more noteworthy are the Media, the Bureaucracy, the Intellectuals and a possible up and coming class of bourgeois entrepreneurs, all interact in an effort to consolidate their political/economic power. The labour movement is itself a force to contend with, and this necessarily means a recognition of the power wielded by trade unions.

The purpose of this paper is to put into proper perspective the growth of the labour movement in Quebec with relation to the Church as the dominant social force of its day; the evolution of the Catholic workers' movement, before and after World War II, into a secularized movement during the sixties; how the unions fitted into that era known as the Quiet Revolution, the radicalisation of the unions; and finally, the political and ideological influences which affect today's union movement. This is no small task, and at the risk of sounding too simplistic, it is hoped that a fresher impression of labour's part in the socio-political process in Quebec will be gained.

#### QUEBEC AND THE INDUSTRIAL REVOLUTION

Of all of the more outstanding social transformations of the 19th century, one stands out in particular; namely, the Industrial Revolution. The indelible character of this revolution has made itself felt on all four corners of the Earth, radically altering the shape of modern western civilization. Europe bore the brunt of the industrial revolution and North America, still in its infancy, was quickly able to adapt. However, Quebec, securely ensconced in



in the rural traditions of a strongly Roman Catholic and French-speaking society, was able to escape, for a short while, the impact of industrialization. Protected by the ever-present Church, Quebecers remained faithful to their history and regarded with suspicion any advances from the outside (*l'étranger*) to establish an industrial sector meant to modernize Quebec. Needless to say, a stubborn Quebec could not resist the global impact of industrialization, and just as Europe and America were transformed, Quebec, too, eventually was caught up in the current, albeit late in the first half of the twentieth century.

The history of Quebec has been particularly characterized by its nationalist streak. All of the major struggles suffered by Quebec have been seen as battles bent on preserving Quebec's national identity. And so it was with the slow industrialization of the province. The leading groups of the late 19th century held strongly to the view that Quebec's identity was best preserved in its historically rural traditions, and that any effort to undermine the rural nature of Quebec society would be considered an affront to the national identity of French-Canadians. Not too suprisingly, the Church strongly encapsulated this view, and it pursued relentlessly its opposition to the modernization of the region. The Church's attitude was reinforced by a number of factors: By virtue of the British conquest of 1759, the Church became the leading spokesman of the rural class, the protective arm of the people threatened by assimilation, indeed the leader of French-Canada. But more importantly, the Church was guided by a set of principles which could not but lead to a narrow outlook on the changing socio-economic scene. First the Church was resigned to the idea of a society which would remain unequal. Only in the hereafter could man entertain the hope of equality and freedom, and a necessary consequence of this emphasis on Life after Death was that a man's life on Earth would have to be shaped by the desire to prepare himself for the afterlife, and not preoccupy himself with improving his earthly predicament. Thus, any attempt to economically better oneself was frowned upon. Secondly, the Church was convinced that any man born into a poor class was destined to remain there. This conception of the rich and poor was further reinforced by the Christian view that the poor man was better than the rich man. Finally, the Church was excessively suspicious of the process of industrialization, and was emphatically opposed to cities

because they were factors responsible for the secularization of society and the alienation of the individual from his large (rural) family, the latter being one of the mainstays of traditional Quebec society.<sup>1</sup>

While these views were meant to protect the French-Quebecers from the onslaught of English-speaking capitalists in Canada, and from Europe and America, they also placed Quebec at a serious economic disadvantage with her neighbours. Nevertheless, the slow industrialization of Quebec took hold, and the cities began to swell with every new arrival from the rural areas. This, of course, accelerated the growth of industry, and with it the growth of the labour class in Quebec. Although the emergence of this class, and the subsequent creation of a labour movement, has often been touted as a classic example of the national consciousness of French-Quebecers at work, one must also consider the development of the labour movement as an event in its own right.

#### INTERNATIONAL AND CANADIAN UNIONISM

Two tendencies in the formation of Quebec's labour movement at the end of the 19th century, international unionism and national unionism, appear to explain later developments in the movement's relations with the Church, the government, employers, and in its inter-relations with other trade unions.

The Canadian labour movement, on the whole, has been particularly affected by international unionism, that is the American trade union movement. Canadian unions owed their existence, in no small part, to the big American unions who ensured their survival as effective organizations through financial and technical assistance. But more important was the impact of American unions on the early ideological outlook of Canadian unions. Initially, American workers organized around the ideals preached by socialism, communism and other half-baked movements calling for a variety of cooperatives and economic reform. In essence, there "was a movement to suit every form of reaction."<sup>2</sup> However, so disparate and ineffective was this early American labour movement that the workers began looking elsewhere for answers, and subsequently "opted for an essentially pragmatic form of trade unionism. The 'new unionism' concentrated on collective



bargaining almost to the exclusion of everything else."<sup>3</sup> This "new unionism", soon known as business unionism, became the flagship of the American Federation of Labour (AFL), founded in 1886, and its pragmatic orientation has dominated the U.S. labour movement ever since. On another front existed the Knights of Labour, one of the first international unions to make inroads in Canada. It was a reform-minded movement, born prior to the economic crisis of 1873-78, with a more conservative approach to its goals than other reform movements. The Knights of Labour were counting on education and persuasion as their means of social reform. At its height in 1887 the Knights counted 12,200 members in Canada.<sup>4</sup> Of special interest, however, is the conflict which developed between the Knights of Labour in the U.S. and the AFL, the subsequent schism in the Canadian Trades and Labour Congress (TLC), and the impact of Church opposition to the Knights of Labour in Quebec.

The rivalry between the AFL and the Knights in the United States, business unionism versus the social reformists, led to the eventual schism which developed in the TLC, a Canadian organization with strong ties to the American internationals. This break in the TLC was exacerbated by the growing pan-Canadian nationalism of the Knights outside the U.S., whose departure from the TLC was, in large part, a result of the domination of the AFL over its Canadian partner. The Knights garnered much of their strength from Quebec, and it is during the 1880's, when the Knights made considerable progress in the province, that one can begin to speak of a national labour movement in Quebec.

#### THE KNIGHTS OF LABOUR AND QUEBEC

While the TLC and the AFL were working closer and closer together in a spirit of cooperation based on the AFL's outlook of business unionism, the Knights of Labour, sparked by the nationalist inclinations of Quebec union leaders seeking a more indigenous labour movement, felt that the TLC should develop policies which would be more reflective of the Canadian reality. Despite an internal debate in the TLC which threatened to defeat



the AFL wing, the nationalists emerged as losers. AFL president, Samuel Gompers, argued that "dual unionism" could only weaken the labour movement as a whole. "... (D)espite geographical division our interests are one and the same... that we are one and the same in spirit, in fact, in union; with one common policy; with identical principles, hopes and aspirations."<sup>5</sup> The leading Knights, too concerned with the differences between the AFL and national unionists in the TLC, located in Ontario, paid little attention to the evolution of local trade assemblies in Quebec. The inevitable consequence of the divisive battle preoccupying the leadership of the Knights was an autonomous-minded labour movement in early industrial Quebec. Despite the international character of the Knights of Labour, the Quebec wing exercised a certain freedom in their decision-making. But this was not the sole reason for the success of the Knights in Quebec:

Rappelons brièvement que le degré ~~moindre~~ d'industrialisation et la différence de structure industrielle entre l'Ontario et le Québec (industrie manufacturière axée sur la production de biens de consommation) sont d'autres éléments valables d'explication. Le caractère de réformisme global des Chevaliers et leur conservatisme au niveau des moyens d'action illustrent bien l'idéologie des organisations ouvrières lorsqu'elles commencent à subir les effets de l'industrialisation.<sup>6</sup>

As Rouillard notes above, economic disparity between Quebec and Ontario led Quebec trade unions to adopt a more idealistic approach, coupled with nationalism, in the struggle to establish the movement in Quebec, if only because the repercussions would not be as hard felt at such an early stage in the industrialization of the province.

It was precisely because of Quebec's slow industrialization that the international business unions failed to leave their mark there. Ontario's advanced stage of industrial progress, a result of the construction of railways (and hence the need for metal works factories), facilitated the growth of a labour movement dominated by internationals, and further inroads were made because of southern Ontario's close proximity to the American market.<sup>7</sup>

Clearly, then, one can see the Canadian labour movement's development as a dual process; one with special emphasis on international business unionism as characterized by the Ontario experience; the other as both a reaction to the foreign domination of American unions over Canadian unions, and as a consequence of the embryonic stage of Quebec industrialization, otherwise known as national unionism.

#### THE QUEBEC LABOUR MOVEMENT: 1890-1930

The first crucial period in the Quebec labour movement's existence took place in the late nineteenth century and early 20th century. Although relations between the union movement and employers were often, if not always, sour, the Church proved to be labour's greatest opposition. As mentioned earlier, the Church's opposition to the labour movement stemmed from its doctrinal persuasion and, equally important, its position in the midst of the French-Canadian society. Certainly the most intensive attack on the movement occurred with the Knights of Labour at the outset of its entrance onto the Quebec scene in 1883. Sensing a threat to the ecclesiastic order, the Quebec Church, headed by the archbishop of Quebec city, Monsignor Taschereau, sought to dispel the legitimacy of the workers' movement, and especially the Knights. Taschereau's main preoccupation with the workers' movement was veiled by his efforts to undermine secret organizations as a whole, and early unions had to be organized secretly to assure their survival. The archbishop succeeded in getting an edict from Rome condemning the Knights of Labour. The implications of the edict were far reaching: "... (L) e clergé du Québec, par sa situation à l'intérieur de l'Eglise catholique, exercera pour un temps sur le mouvement nord-américain, des pressions nettements supérieures à son pouvoir réel."<sup>8</sup>



Branded as a masonic order, the Knights of Labour found themselves in a very precarious situation. While the Church as a whole did not rally behind Taschereau's initiatives to discredit the workers' movement, there is certainly no doubt that the Taschereau campaign was threatening to leave bad blood between Catholic workers belonging to these movements and the Church. The dangers of a workers' movement were manifold: "Ce qui les rend suspectes et dangereuses: 1. Ce sont les doctrines qu'on y professe, par exemple: de se passer de prêtre, de ne pas tenir compte de la religion... 2. Ce sont aussi les agissements des chefs, ....leurs allures indépendantes à l'égard des autorités ecclésiastiques. 3. C'est par suite de la facilité qu'on y donne aux injustices,...aux empiètements sur les droits du patron. ...Il y a toujours là une présomption contre la société."<sup>9</sup>

With the Vatican's pronouncement on the Knights of Labour, there developed some embarrassing problems for both the Church and the workers belonging to the Knights. Plenty of opposition within the Church, notably from the United States (where large numbers of Irish-Catholics were members of the Knights) led to widespread controversy. Those opposed tried to have the edict rescinded, but to no avail. Taschereau, fearing his opponents might weaken the Quebec Church's stand, bounced back with a meeting, in 1886, which brought together some of the leaders of the Catholic Church of Canada, whose support, expressed in a pastoral letter, proved to be the first effort at using the nationalist card in a fight to thwart the union movement:

le caractère cosmopolite des sociétés secrètes et en particulier de celles des Chevaliers du Travail... expose nécessairement beaucoup de ceux qui en font partie à exécuter les ordres d'un conseil siégeant dans un pays étranger, qui, à un moment donné peut être en opposition d'intérêts et même en guerre avec le gouvernement auquel ces membres doivent être affiliés.<sup>10</sup>

However, the Church in North America remained divided on the issue. This divisiveness no doubt weakened what might have been a formidable opposition to the Knights. The American Church eventually succeeded in having the edict renounced. In Québec city, the archbishop, with the support of leading Catholic newspapers like La Vérité, continued to strike out at the Knights and the labour movement in general. By 1894, the Knights were beginning to suffer a decline, largely due to their conflict with the AFL, which culminated in their rupture with the TLC in 1902. But this did not halt the labour movement.



## THE CHURCH TRIED ASSIMILATING LABOUR

Once implanted in Quebec, there was no turning back for the labour movement. Since the Church's earlier efforts to halt the Knights failed, it began to seek alternative avenues of response. Unlike its past appeals to a return to the worker/employer relations of the Middle Ages, which to many (including the American Catholic order) smacked of outright support of the employers, the Church started to rout the big American internationals, notably the AFL, and hoped to secure a say in what was clearly a trend towards bigger unions. With the Church's reluctant reversal of its stand on workers organizations, a Catholic labour movement pierced the scene, though badly oriented and at first so unrealistic in its demands of workers that it was doomed to failure. Southern Ontario, experiencing a high rate of industrialization, was fertile ground for the American union movement; a union movement that was virtually a dominion of the American Federation of Labor. It is difficult to see how the Church could not but react strongly against the invasion of American unions (and capital), all of which threatened the rural character of Quebec - so closely linked to its identity - and which gnawed away at the Catholic hierarchy's leading role in Quebec, so much the centrepiece of the French-Canadian society.

Awakening to the irreversible reality of the labour movement in the midst of its domain, the Church embarked on a mission that was to diffuse the rhetoric and political plans of action of the foreign-influenced movement. The Church observed that the American-dominated unions were fighting employers with the single-minded purpose of material gain and social reform. This was coming perilously close to a call to arms, an incitement to class warfare as explained by Marx, indeed, an attack on the Christian view that society was a harmonious whole. As it became increasingly apparent that the workers' movement could not be arrested, and as the unions and employers wrestled one another, the Church, as it had done in 1837, stepped-in in order to offset a highly volatile situation. Now, while this move is often cited as the beginning of Quebec's attempt to break the grip of a foreign directed union

movement and become its own master, guided by an enlightened Church, a second reading of the issue might highlight less the nationalist cause in labour's break with its American partner, and more the genuine emergence of a labour movement answering the growing needs of a slowly industrializing Quebec. This is not a question of identity or working class leadership per se, but a matter of displacement in the balance that dictated behaviour among the social forces.

Not very suprisingly, the labour movement in Ontario and Quebec was making little progress with government during the last quarter of the 19th century. Ottawa's Trade Union Act of 1872 had changed little in the way of the labour movement, aside from bestowing some legitimacy on it and giving workers the right to strike. But government and employer practices curtailed much of the law's effectiveness. In Quebec, several laws were passed regulating child labour, hours of work per week and other working conditions, but the government's failure to enforce the legislation made it worthless. Clearly, then, the atmosphere was highly charged, and while the victories of the labour movement came at a snail's pace, strikes and demonstrations assumed bitter degrees of confrontation. Under these conditions the Church began to reverse its position vis-à-vis the workers organizations; during a number of strikes Church leaders were invited to mediate worker-employer differences. This precedent ultimately led to the Church's involvement in the labour movement. No doubt resigned to the fact that workers' organizations were a necessary outgrowth of industrialization, the Church hoped to temper the raging conflicts among workers and employers. Settling in to its new found role, however, proved to be a little more discomfiting than anticipated.

#### EARLY CATHOLIC UNIONISM: 1900-1920

Somewhat suspicious of the Church's interest in partaking in the labour movement, for the Church was tainted by its steadfast protection of employers rights, union leaders were hesitant in endorsing a rapprochement with the ecclesiastics. Expressing concern with the foreign domination of unions, and calling on workers' nationalist and religious sentiments, Church officials hoped to diffuse what was evidently a digging in of positions, and lay to rest the union movement.



Although the Knights certainly made it easier for their affiliates to identify with the Church's admonition that American-directed unions challenged all of society, the AFL affiliates were still greater in number and more resistive of any such heeds of caution. International unionism was the most powerful influence in the labour movement (see appendix I), and as such a formidable foe. While the internationals were firmly emplaced in Quebec, having secured an early foothold, the Church's failure to realize the implications of industrialization set it back in its struggle to maintain "order" among the social forces in Quebec. But all was not lost, and despite severe criticisms that the Church was manifestly inept in understanding the socio-economic transmutations taking place, the Church succeeded in undercutting some of the power of the internationals.

By comprehending Quebec's foreign-aligned labour movement as a new social force battering its way onto the urban scene, upsetting the delicate balance of Church, business and liberal professions, it is easy to understand the Catholic hierarchy's stringent reaction towards workers' organizations. At the outset, the Church sought to protect the social order of things by setting itself against the labour movement and urging French-Quebecers to uphold their rural and Catholic traditions. In principle, the Church was openly hostile to the process of industrialization, but the relationship of the Church and the English financial community in Montreal indicates a certain mute acceptance that commerce and industry, as the domain of the English community, were not to be challenged so as to imperil the equilibrium between French and English. An organized labour force is a necessary response to industrialization. Thus, the initial failure of the Church was not to recognize how the English-community fostered the labour movement's expansion through industrial finance. The clerical dilemma was how to preserve traditional social arrangements in a changing society.

When the Church concluded that the labour movement could not be impeded, a turn-around occurred which was designed to draw the power from the movement by absorbing it into Church-run Catholic workers' organizations.



Early attempts at such efforts were in vain. Prior to World War I, the Church, uncomfortably aware of its losing battle with the internationals, the rising popularity of socialist ideas among workers and even the creation of an inept Workers' Party, was prodded into involvement within the labour movement. Its involvement, at first, was fairly innocuous. Priests were assigned to guide those locals which accepted the Church's "peace-offerings" in the moral and religious education of their members. In a number of instances, the Church formed Catholic workers' organizations in order to stop international unions from being established in some factories. The Church derived its "ideological" strength from Pope Leo XIII's encyclical Rerum Novarum of 1891, virtually ignored in Quebec until 1910. According to the Church, Catholic workers who founded unions would have to adhere to the encyclical, which laid out the Vatican's position on social questions, such as the right to organize but not the right to strike. As Catholic unions were organized under the principles outlined in Rerum Novarum, it became apparent that this social doctrine preaching the virtues of justice, and decrying the notion of conflict between class, was too idealistic in scope. The Church dominated the Catholic unions absolutely. "Ces premiers syndicats catholiques n'avaient pas senti le besoin de regrouper les travailleurs par métier, ni de prévoir les cadres d'une négociation collective, ni même de mentionner la possibilité de grève...car, au fond, c'était contraire à l'esprit qui les avait fait naître."<sup>11</sup>

Nothing of substance changed when the Church decided to stop confronting the labour movement directly and entered into the union organizations as a parallel force competing with the internationals. The clergy, through its appeal to nationalism and religion, hoped to siphon the steam from the American affiliates of the union movement, but this was merely a change in venue meant to appease Quebec workers. Regardless of whether the unions were members of international or national organs of the labour movement, all unions were essentially after the same thing. The Church, interested in preserving social order, continued to deliver the same message that guided its failed actions at the outset of its confrontation, namely that society was a harmonious whole. And it was precisely this idealism which aborted its first attempt to break into the union movement:

Mise à l'essai, la formule (harmonious rapport between worker and employer) s'avéra vite utopique. Les travailleurs comprirent qu'ils risquaient de faire les frais de ce nouveau type de relations de travail....

Quand les travailleurs se rendirent compte que les syndicats confessionnels leurs apportaient peu d'avantages économiques, ils quittèrent leurs rangs: ils n'ont pas été dupes de l'idéalisme des fondateurs de ce premier groupe de syndicats catholiques.<sup>12</sup>

World War I saw rapid industrial growth, further strengthening the labour movement. Nothing more could have aided the nationalist sentiments among French-Quebecers, however, than the Conscription crisis. Following the war, the Church, conscious of its earlier set backs in the labour movement, was able to rally Catholic workers through renewed appeals to nationalism and a revamped ideological pledge to pursue with greater commitment workers' rights. The originators of the Church's reorientation were Père Joseph-Papin Archambault and Abbé Maxime Fortin, who set up special schools to draw from the working class potential leaders of the Catholic workers' movement. Interestingly enough, while the labour movement itself was split along international and national lines, weakening the movement as a whole, a number of nationalist union leaders were seeking a reconciliation with the clergy. In 1915, Alfred Charpentier, who was to become the first president of the CTCC, was engaged in a close dialogue with Church officials on the question of Catholic unions - a dialogue which led to his "conversion" to the Catholic workers' movement. Henri Bourassa's book, Hier, Aujourd'hui, Demain, had much to do with Charpentier's swing from secular unionism to confessional unionism, as he explains in a letter to Bourassa:

Réflexions faite, j'en vins à croire que le mouvement unioniste international actuel constitue une forte entrave à la diffusion des idées nationalistes parmi les classes laborieuses et, pourtant, elle affermit ma conviction, encore toute récente, que le syndicalisme en ce pays doit devenir véritablement canadien.<sup>13</sup>



Furthermore, Charpentier was to make his conversion complete because of the swaying powers of both Archambault and Fortin, convincing Charpentier that not only was there a certain threat from the internationals, but that a national secular union movement posed dangers to Quebec workers. It is perhaps, Archambault's work, La Question Sociale et nos droits de catholiques, which assured Charpentier that the clergy could sympathize with the working class, and reinforced his perception of the susceptibility of secular and national unionism to socialist ideals.

These dangers were no mere illusions. For outside Quebec, the formation of an Independent Workers' Party (of Canada) by international unions (i.e., the TLC), in 1917, was precisely a manifestation of what the internationalists said they would not do. Leaders of the foreign-led unions had always suggested that they would remain "neutral", but the creation of a Workers' Party indicated quite the opposite. Conscription and a new Workers' Party aggravated all attempts to unify the Canadian labour movement. As Charpentier saw it:

Les circonstances politiques que nous traversons semblaient dirigées contre l'unité nationale: violation du droit des minorités dans l'Ouest et dans l'Ontario par la persécution contre le français; campagne d'assimilation par l'enseignement exclusif de l'anglais; haine de la foi catholique; impérialisme outrancier.<sup>14</sup>

Under this highly charged atmosphere, Charpentier contributed to the Church's awakening to the need for an organized Catholic workers' movement, while defending all areas of Quebec society. The conditions faced by the Church and Quebec labour proved conducive to the second attempt at launching catholic unionism. Various study groups were founded to sustain the organization by training a "labour élite" that would lead Catholic workers. But the Church insisted: "nous nous organisons pour la paix, non pour la lutte."<sup>15</sup> From 1918 to 1921, the Catholic unions met annually to clarify their goals and structure their movement, an enterprise which led to the founding of the Confédération des travailleurs catholiques du Canada (CTCC) in Hull, in September 1921.



## DORMANT YEARS OF THE CTCC: 1921-1934

Despite the success of the Catholic union movement after WWI, the creation of the CTCC and its first ten years of evolution proved to be a time of hardships. Catholic unions had succeeded in attracting only one quarter of the organized work force in Quebec (See Appendix II). The CTCC exaggerated the number of members who belonged to the organization, no doubt to improve its image among workers and enhance its position with relation to the internationals. As a federation, the CTCC exercised its powers in the areas of legislative reform, carrying out the decisions rendered at CTCC congresses, and establishing new unions.<sup>16</sup> In its effort to consolidate its position in Quebec, the CTCC recruited its members from affiliates of the national unions, the Knights of Labour, and in the creation of new unions. While workers, trained by the Church, conducted the business of the Confédération, the clergy, as outlined in the CTCC constitution, gave spiritual and moral guidance to the Catholic movement. The constitution recognized this role by noting that the CTCC considered as fundamental "les définitions et règles de conduite tracées dans les encycliques de Léon XIII et Pie X."<sup>17</sup> In effect, the Church's position in the CTCC superceded the national orientation of the federation, because the social doctrine of the Church commanded a greater priority. Consequently, the CTCC experienced clerical domination to a more extensive degree than was anticipated. Prior to the creation of the confessional union movement, leaders, like Charpentier, maintained that workers would have to be responsible for setting the goals of the CTCC, but as time came to pass the Church asserted itself as it had done earlier in the century.

Once again playing its primordial function as the leader of French Quebec, the Church found itself pitted against workers in the CTCC who sought not so much as autonomy from the clergy but more of a pragmatic adjustment vis-à-vis its goals. This division, however, was not as contained as it had been in the past, and numerous clergymen engaged themselves on the side of workers.

The impact of this disagreement, in 1933, led to a minor schism in the CTCC with 7 of 25 unions breaking away from the CTCC's Conseil Central de Québec, to form their own executive, but remained allied to the CTCC. This merely exacerbated an already sapped organization, which had suffered a number of losing strikes on the labour front throughout the late twenties. Abbé Fortin, who from 1921 was the CTCC's head chaplain, resigned in 1933, because of the internal schism. By bringing to the fore the omnipresence of the Church in union affairs, the conflict eventually served to temper clerical involvement in all facets of the CTCC's business.

#### THE CTCC, GOVERNMENT AND INDUSTRY.

Perhaps as significant to the growth of the CTCC, or more precisely, its 13 years of virtual stagnation, was the opposition it had to contend with from both government and industry. The Church granted Catholic labour limited legitimacy, and because of an inferior ability to articulate workers' goals as compared to the internationals, the CTCC found itself thrust into a battle for government recognition. However, both federal and provincial governments, during the post-World War I era, were reluctant to endorse confessional unionism. The Conservative Federal government viewed the TLC as the representative of Canadian workers, and deemed the CTCC as a deviation from the norm established by the internationals, viz., TLC. Gideon Robertson, Federal minister of Labour, was a strong opponent to Canadian national unionism, and was responsible for quelling the 1919 Winnipeg Strike with the help of the TLC. The federal government, despite wide protests from Quebec, insisted that the CTCC should ally itself with the TLC if it wanted to enjoy any benefits as a union. The Conservatives in Ottawa, continued to turn a deaf ear to the CTCC, and remained implacable in their support of internationals, presumably because of the TLC's support of conscription.<sup>18</sup>

With the Quebec government of Taschereau, the CTCC fared no better. Taschereau's early initiatives as Minister responsible for Labour were in the form of legislation without teeth, for he failed, as Premier, to back up his laws with money. Although Taschereau was ostensibly sympathetic to labour, his true colours emerged soon after gaining office as Premier.



The Liberals were deeply suspicious of Church involvement in labour, and interpreted its moves as an attempt to usurp power from the government:

Les hommes politiques québécois ne voyaient pas d'un oeil favorable la naissance des syndicats confessionnels; la vaste offensive de l'Eglise pour encadrer le domaine social ne leur souriait pas d'avantage. Il y avait derrière cette stratégie l'idée de limiter les pouvoirs d'intervention de l'Etat.<sup>19</sup>

Closely in tune with the government's attitudes were those of the employers: The Church, at first, tried encouraging corporate unionism, where workers and employers would come together to solve their differences under one union with a dual membership. Such an approach to industrial relations was typical of the Church's outlook on the harmonious whole of Quebec society, and it quickly appeared unrealistic, although the Church only gave up on the idea in 1945. For the most part, employers were stridently opposed to unions of any persuasion, preferring to reserve for themselves the right to deal directly with their employees. But often enough, the threat that international unions might be springing up in their midst made them more receptive to CTCC requests to set-up "shop". Catholic unions were by far more conservative than their international counterparts, and economic and financial exigencies dictated to employers that the former unions were the less of two evils. Certainly the experiences of the 1920s awakened the clergy, for it soon became evident that many employers agreed to Catholic unions in their milieu as long as the internationals loomed on the horizon. Once the danger of international unions had passed, the employers would come down hard on the CTCC's affiliates. As the CTCC's experiences with both government and employers hardened its determination, there also transpired a shift from a conservative Catholic direction in its political undertakings towards what was termed the Catholic left's approach. This period was one of fantastic growth, and a precursor to the more invigorated CTCC of post-World War II.



## BOOM OR BUST? LABOUR DURING THE DUPLESSIS ERA

Having traced the interplay of the more important forces animating the labour movement in Quebec from the late nineteenth century to the early thirties, it is now appropriate to recapture the socio-political climate in the province, an element severely criticized as the main reason for the ineptness of French-Quebecers in gaining a proper handle on their future. A reactionary notion of nationalism was considered the principal cause of Quebec's economic and political malaise. Until the mid-forties, the Church, as the chief messenger and proponent of nationalism, managed to contain new ideological sentiments struggling to express themselves. So powerful was Church social doctrine that it pervaded all walks of life, allowed little digression from the social dogma among intellectuals, and gave the provincial government a free reign over the people. As long as people adhered to the ideals of a traditional, rural and Catholic society, expounded from Church pulpits across Quebec, then the Quebec-nation would be able to find fulfillment in its own unique identity. This unwillingness to admit outside or foreign ideas, this longing for past arrangements, crippled Quebec economically and politically. The net result was a polarization of forces, an erosion of the entente between Church and state, the locking of horns between employers and unions, on a grander scale than was experienced in the embryonic stage of the labour movement.

In a particularly vitriolic attack on Quebec nationalism, P.E. Trudeau lays the blame for all of Quebec's ills on the shoulders of the Church and its institutions which professed nationalism, and on a government unable to act because of it.<sup>20</sup> But while it is true that much of the opposition to change in society was couched in terms of nationalism, it must also be recognized that the conflicts which ensued during the forties and fifties blew-up because the Church, as the leader of French-Quebecers, was being subjected to question. The glue that held French-Quebec together in the past was losing its capacity to hold society together in the 40s and 50s;

the clergy had to prevent compromising its leading place while seeking other avenues in which to exercise its powers. The government, too, was prone to political expediency, for what counted most to men like Duplessis was protecting one's position of power. The burgeoning of the CTCC from 1934 to 1945 marked the beginning of competition that pitted old and new social forces against one another.

With Duplessis' election victory in 1936, there arose a more concerted effort to repress the labour movement, despite election promises that seemed to favour unions. This transformation was in contrast to the tolerance more or less exhibited by Taschereau's Liberals during the twenties. By embarking on an active campaign to whittle away labour power, Duplessis was unveiling his government as pro-business, pro-industry. The Union nationale passed legislation giving the government wide discretion in the formation of unions, allowing it to void union contracts and, by the time World War II came to pass, had granted foreign capitalists favorable terms in the exploitation of Quebec's natural resources. The CTCC's response, however, was more controlled, even in the face of the government's turnabout. Only 21 strikes were called by the CTCC from 1931 to 1940, a marked contrast to the 1920's when only 9 strikes were attributed to the CTCC out of several hundred.<sup>21</sup> Nevertheless, this was a poor performance, and only one strike out of these 21 can be said to have had any real importance; the textile strike of 1937. Lasting nearly one month, the Fédération Catholique nationale de textile discovered how weak the labour movement was when its attempts to settle contracts were resisted by the company, Dominion Textile. After lack of progress, all parties agreed to mediation by Duplessis, who had the blessing of Cardinal Villeneuve of Quebec, and, no doubt, his own interests at heart. A five-month agreement was reached, but shortly after that period, the whole process fell into a shambles, the Fédération failed to reach a second agreement and the government abstained from any involvement - all of which resulted in a severe weakening of the Fédération, since it did not have any weight to back up its demands and strike action proved to be a moribund exercise. As a result, a number of



unions affiliated to the Fédération, a member of the CTCC, pulled out their support for the Catholic organization. There were 9,000 strikers involved in this bitter lesson.<sup>22</sup>

What is perhaps fairly striking, is that labour under Duplessis was more successful in improving the workers' lot than under the Liberal régime, despite Duplessis' open hostility to the union movement. This seeming contradiction, however, was more a result of the concerted strength of the internationals, and so it comes as no surprise that Duplessis, after 1945, unleashed a vigorous campaign against the foreign-run unions. The foreigners were often characterized as American Jews with communist ties. "(T)he Jews have become masters 'notably of the economic life, but also of the social and professional life'." Since the Catholic unions were also opposed to the internationals, Duplessis had their support as well. "Abbé Jean Bertrand, the head chaplain of the Catholic syndicats of Montreal, condemned communist infiltration and the actions of professional agitators, and recommended that the American strike leaders be deported."<sup>23</sup> Although the rivalry between Catholic unions and international unions, following the war, was fierce, oftentimes characterized as a fight against communists, a characterization readily endorsed by Duplessis, the internationals weathered the abuse.

The internationals gathered most of their strength from the TLC-AFL, still the largest labour organization in Quebec, and from the CIO creation, in 1940, of the Canadian Congress of Labour (CCL). The CIO-CCL's presence added new vigour to the initiatives of internationals in Quebec, and whose gains, no doubt, sparked the CTCC, which until the war years was a fairly conservative force, into a more active and radical role:

In spite of (the) leftward orientation in the tactics and policies of the international unions, surprisingly enough it was not the TLC, or even the CCL, but the Catholic unions which were to emerge in the post-war period as the most dynamic trade union movement in Quebec...(With a) new leadership the CTCC embarked upon a vigorous organizing campaign and fought even harder than the international unions for better wages and working conditions.<sup>24</sup>



## REORIENTATION OF THE CTCC

Unquestionably, the transition of the CTCC from a non-confrontationist organization to the spearhead of the Quebec labour movement was a matter of tactics. Literally speaking, until 1945-46, the internationals had had the upperhand; the CTCC was faced with the dilemma of do-or-die, so it had to act. This meant a complete rethinking of its ideological position till then. Jacques Rouillard argues that the CTCC never really differed from the internationals:

Même si la CTCC a eu comme objectif jusqu'à la guerre l'établissement du corporatisme...ses syndicats négociaient avec le patronat dans un esprit de rapport de forces...Dans leur pratique syndicale quotidienne, les syndicats internationaux et catholiques en sont venus à se ressembler étrangement.<sup>25</sup>

Such an interpretation seems to be a dismissal of the CTCC's confessional doctrine as mere happenstance, but the fact remains that the CTCC exhibited great reluctance in mounting a concerted effort against employers. To fight employers would fly in the face of the CTCC constitution, which, inter alia, declared that workers' interests and employers interests were compatible. The Church, as the supportive structure of the CTCC, often clarified the workers' position:

L'Abbé Hébert, aumônier du Conseil centrale de Montréal, assignait au syndicalisme catholique ce triple objectif: "Etablir la justice par le respect des droits mutuels et l'accomplissement des devoirs réciproques, faire rayonner la charité par des relations harmonieuses entre patrons et ouvrier, travailler à la prospérité de la société en assurant à la classe ouvrière des conditions raisonnables de travail".<sup>26</sup>

To wit, the CTCC's strike record was virtually non-existent in comparison to the non-denominational and international unions. As late as 1939, Catholic intellectuals were still drawing up programs designed to lead to corporate reforms. However, the war soon made the CTCC drop its plans for corporatism, because of its intimate link with fascism.<sup>27</sup> In its stead, the CTCC started

to seriously consider the reform of private enterprise, an idea being contemplated by French Catholics after the war, as a response to both communism and capitalism. The time was ripe for adopting a new ideological outlook, since the CTCC had undergone a leadership change, with Gérard Picard as its new president.

La diffusion de cette nouvelle interprétation de la doctrine sociale de l'Eglise fut le fait de la commission sacerdotale d'études sociales...(Les nouveaux théoriciens) proposaient donc une réforme de l'entreprise qui fasse une part à la participation des travailleurs à ses bénéfices, à sa gestion et à sa propriété. Pour eux, le droit de propriété du patron sur son usine n'est pas absolu car l'entreprise possède un caractère social.<sup>28</sup>

While the CTCC's new French-inspired outlook did much to revitalize the movement, its overall growth remained unchanged (see appendix IV). The internationals were putting considerable pressure on the CTCC. By the mid-fifties, the AFL had merged with the CIO, sparking the merger of their respective Canadian affiliates, the TLC and the Canadian Congress of Labour (CCL) into the Canadian Labour Congress (CLC). These mergers enhanced the strong international presence in Quebec; the AFL's Fédération provinciale des travailleurs du Québec (FPTQ) and the CIO's Fédération des Travailleurs du Québec (FTQ) in 1956.<sup>29</sup> The sheer presence and strength of the internationals in Quebec led the CTCC, in 1956, to consider affiliating (though not merging) with the CLC:

La centrale catholique renonçait à son statut de centrale ouvrière nationale pour se transformer en une vaste "one big union" qui garderait ses syndicats affiliés. Pour un bon nombre de dirigeants de la CTCC, dont le président Picard et le secrétaire (Jean) Marchand, l'unité était une nécessité, car la division affaiblissait les travailleurs.<sup>30</sup>

The makings of a more united front became evident during the late forties and fifties, as labour inherited a more respectable and acceptable position in urban Quebec, and as the Church slowly relinquished its hold over the Catholic union movement.



## ASBESTOS - 1949

With a new doctrine, and a young and new leadership, the CTCC entered a new phase in the Quebec labour movement following World War II. Regardless of the Godbout government's Labour Relations Act (1944) which conceded certain legitimacy to the labour organizations, Duplessis exercised a tight rein over the concessions granted to the unions, interpreted the act arbitrarily to suit his own purposes, and, to further strengthen his hand, passed Bill 5, which gave the government wide discretionary powers over unions with just a suspicion of communist tendencies. This legislation, coupled with the Padlock Law, made of Duplessis a near dictator.

As the "red scare" swept the western world, Duplessis, like McCarthy, descended on his opponents with an iron-fist. Numerous strikes in the mining sector broke out, but it was the Asbestos Strike of 1949 which proved to be the watershed of the Quebec labour movement. Some 5,000 miners walked out illegally after contract failures with the Asbestos Corporation, Canadian Johns-Manville Company and Flinktote Johnson. While the international and Catholic unions had made attempts to form common fronts in the past, notably in 1938 to fight bills 19 and 20, and in 1947 to fight bill 5, these coalitions were only temporary, due in no small part to the differences among the two labour groups,<sup>31</sup> but Asbestos saw the CTCC, as the union responsible for the strike, succeed in rallying the entire movement. When the companies started hiring "scabs" two months into the strike, miners set up pickets and Duplessis sent in his troops, the Quebec Provincial Police. The net result was a "miniature civil war."<sup>32</sup>

Although Jacques Rouillard explains that the conflict was brought on by the CTCC's more radical ideology, the reform of private enterprise, as suggested by the president of Canadian Johns-Manville himself, Lewis Brown, "l'origine de la grève ne concernait pas les salaires ou les conditions de travail mais relevait d'une tentative de la part des chefs ouvriers de 's'arranger les droits de la direction'".<sup>33</sup> Trudeau, in The Asbestos Strike, saw the conflagration as a historical crumbling of old ideas, as class expression:



In 1949, the memorable asbestos strike occurred because the industrial workers of Quebec were suffocating in a society burdened with inadequate ideologies and oppressive institutions...The asbestos strike...was significant because it occurred at a time when we were witnessing the passing of a world, precisely at a moment when our social framework - the worm-eaten remnants of a bygone age - was ready to come apart.<sup>34</sup>

Prosaic, to be sure, but such philandering with the emotions and sentiments of workers seeking a better life fails to give an adequate explanation of the CTCC's new role as a social force on a par with the other social forces. It was not so much inadequate ideology, viz., a nationalism that saw traditional rural values as the only possible expression of nationhood, that sent workers clammering en masse to voice their hostility against both foreign capitalists and a reactionary government, but quite the opposite; A new ideology, as defined by the CTCC's new outlook, sprang forth and challenged Duplessis, his wisdom and his role as the chief spokesman of the government. Now that a force, more or less legitimate, had emerged with sufficient structural refinements to demand fair and equitable treatment on a par with the government, there could only be one of two reactions; acquiescence or resistance. Rarely would a party bow out before an opposing party willingly, unless the odds were overwhelmingly against the former. As it happened, Duplessis met resistance at Asbestos, but unlike the past, the labour movement was consolidated enough to deflect the UN government's initiatives at breaking the strike. That is why Asbestos is so often characterized as the watershed of the Quebec labour movement.

#### THE CTCC'S EVOLVING IDEOLOGY

Although the 1949 Asbestos Strike marked a new beginning for the labour movement, it did not mean a new era of cordial relations. On the contrary, the CTCC resumed with vigour its search for legitimacy and the Duplessis government acted as forceful as before in trying to repress the movement. Other notable strikes carried out by the CTCC during the 1950s included the Louiseville strike and the Dupuis Frères strike of 1952.

Arvida 1957, and particularly Radio-Canada 1959. These conflicts were symptoms of the CTCC's new leadership role. The intensity of the strikes also mirrored the loosening relationship between Catholic labour and the Church, and a tighter bond between the internationals and the CTCC. As a parallel development, the CTCC, during the fifties, further developed its ideological position.

Strongly convinced that there was a middle ground between communism and capitalism, and conscious that the idea of the reform of private enterprise was too radical, especially for international unions, the CTCC's theorists deepened their intellectual understanding of the role of the labour movement:

Des penseurs catholiques français, J. Maritain, E. Mounier, le père Delos, et des revus comme Esprit, Témoignage Chrétien et Economie et Humanisme ont fortement influencé nos penseurs sociaux. Plusieurs de ces catholiques... puisaient leur inspiration dans le personalisme, doctrine qui se propose de faire un heureux mariage entre l'autonomie et la responsabilité sociale des individus ...Cet aspect de la pensée personnaliste n'a rien de très neuf par rapport à l'enseignement traditionnel de l'Eglise...Mounier se défend bien de proposer "la liberté du libéralisme", (mais) il pose néanmoins comme postulat à sa pensée l'autonomie des personnes et valorise la liberté de choix, ce qui était étranger à la philosophie traditionnelle de l'Eglise pour qui la liberté, loin d'être une valeur, découlait de la faiblesse de la nature humaine.<sup>35</sup>

Perhaps, then, more important than any of the major strikes which now serve as historical dates to help catalogue the various phases of the labour movement, was this realization that the CTCC could, in fact, be a prime mover of change in Quebec society:

...(L)'influence de Quadragesimo Anno (Pope Pius X's encyclical) s'estompe graduellement alors que la CTCC prend de plus en plus conscience de l'importance et de l'efficacité de la revendication syndicale...En réalisant que le syndicalisme peut constituer une force sociale, la CTCC s'éloigne des idées d'association de collaboration et d'égalité, pour viser à l'amélioration de statut socio-économique de la class ouvrière.<sup>36</sup>



The Quiet Revolution and the last ten years have seen such a rapid change in industrial-labour relations that it would take volumes to explain and describe the labour movement since the early sixties. The scope of this paper does not allow one to entertain illusions of writing a complete account. However, there have been periods during the last twenty years or so that have proven to be reflections of major trends in Quebec's labour movement. By interpreting these important trends in terms of the thesis, that is, the labour organizations in Quebec as catalysts among other forces in the province, namely business, bureaucracy/ government and media, we can probably identify the effectiveness of labour in its relationship with other centres of power. The final stage of this interpretative account of the labour movement will focus attention on two main elements:

- 1) The ideological shifts of the various labour organizations, and
- 2) where these shifts lead to the labour movement's rapport with other social forces.

#### THE CSN BREAKS WITH THE PAST

In 1960, the CTCC made its break with the past official, by voting in favour of the CTCC executive's recommendation to overhaul the 1921 constitution and change the union's name to the Confédération des Syndicats Nationaux (CSN). However, the CSN would continue to adhere to the fundamentals of the CTCC's own doctrine which recognized "l'épanouissement humain des travailleurs", and which, furthermore, sought to apply the CTCC ideology - "qui accorde à l'homme une primauté sur l'économique."<sup>37</sup> Indeed, it was precisely this idea of the worker as a victim of the state's economic practices that propelled the CSN into a more involved political role. The CSN noted that high unemployment was an issue of utmost concern, that the federal government was slow to react to the problems of workers, and that private enterprise, if allowed to operate in an atmosphere of little public control, would act socially irresponsible. As it became clear that the government would do little to alleviate the economic ills affecting workers, the CSN made every effort to become involved in various government consulting groups, so as to apply pressure from within. The growth of the federal and provincial bureaucracies no doubt gave added drive to the CSN, as numerous bodies were created to deal with economic questions. Convinced that laissez-faire capitalism was detrimental



to workers' interests, but aware that radical alternatives such as communism were counter-productive, the CSN's initial goal was to seek greater government involvement in the economy. This policy was pursued by the CSN until the mid-sixties. Both the first CSN president, Jean Marchand (1960-65), and his successor, Marcel Pepin (1965-1976), worked towards the "democratization" of private enterprise, admittedly a middle of the road approach to capitalism, though it was not long before Pepin radicalized the CSN.

The early philosophy of the CSN, then, was in many ways compatible with the CTCC's view of things: That while workers' interests were often-times opposed to the interests of private enterprise, a bridge might be drawn between the two. The CTCC sought a share of management in enterprise, since workers had a vested interest in their jobs. The CSN forwarded the idea of more state involvement in the economy - to legitimize workers' claims. It was not merely workers' interests, however, that guided the CSN, but the whole responsibility of the union movement in initiating wide social reform. Clearly, the CSN's expanding role into areas outside of the immediate concerns of the proletariat gave it a more sober awareness of its own ability to affect change, if not of its responsibility to the lower classes.

Before 1960, the CTCC was ready to accommodate the existing economic structure, so long as more benefits were granted to workers. The early CSN thought in terms of social and economic reform:

(La CSN) met, alors, systématiquement en cause les structures du système et soumet des projets de réforme qui se veulent définitifs. Ainsi, la CSN propose de réorganiser la sécurité au travail en intégrant les fonctions de prévention, législation et réparation dans la perspective d'une responsabilité communautaire plutôt qu'individualiste...Ce processus d'évolution entraîne une redéfinition du rôle de l'Etat...Ce rôle...devient celui d'un initiateur et d'un créateur.<sup>38</sup>

Social legislation was of particular importance, just as economic reform, in the elaboration of the CSN's position. "L'orientation réformatrice est cristallisée dans le concept de "démocratisation économique", que la CSN

propose constamment, lequel se concrétise dans la participation ouvrière au niveau de toutes les structures économiques et dans la "planification économique démocratique", au niveau de la société."<sup>39</sup>

#### THE CSN AND BUREAUCRATIC EXPANSION

Greater state intervention in the economy and the amelioration of social legislation necessarily meant bureaucratic expansion. As a consequence, the state became one the largest employers. This development led to a change in labour's attitude towards the relationship between the State and the union movement, which became more tense after 1966. The government resisted efforts by the syndicats to allow the public sector to negotiate as a collectivity. In fact, the government went so far as to insist that the "Queen does not negotiate with her subjects." The whole debate centered around the government's reluctance to recognize the similarity of its relationship with public sector employees to the relationship of private sector employees with private enterprise. The latter enjoyed the benefits of unionization, while the former did not; Certainly, the role of government as employer is somewhat incongruous with its role as legislator.

During Jean Marchand's term as president of the CSN, the public sector was fairly successful in securing the right to unionize. "Il est important de se rappeler que le droit de grève fut acquis par les employés du secteur public dans un contexte caractérisé par deux facteurs importants: le décentralisation des structures de négociation et l'atmosphère générale de la Révolution tranquille."<sup>40</sup> As well, the first five years of "cooperation" between the Lesage Liberal government and the CSN were due to Marchand's close ties with the government. Marchand's links to the Liberals paved the road for a bigger CSN.

By resigning as president, in 1965, Marchand hoped that the bond between government and the CSN would be loosened, to eliminate the risk of compromising the CSN's expansion into other sectors. Because the government started



to curtail the right to strike of the public sector after a series of bouts between the two, Marchand's departure was essential for the CSN's well-being. With Marcel Pepin's election as president of the CSN, there occurred a rapid escalation in the demands of public sector employees, and a radicalization of the labour organization. Suddenly, the government found itself pitted against a labour movement condemning capitalism and advocating "social democracy." The Lesage concessions were not enough for labour. And to add to labour's perceived difficulties, the UN returned to power in 1966. "The failure of the Lesage Liberals and their successors to create a more evenly balanced relationship between workers and their employers led the labour movement to demand changes in the system as a whole, rather than mere changes in the governing elites."<sup>41</sup>

#### THE FTQ AND THE COURSE OF INTERNATIONAL UNIONISM

As an organization, the CSN grew in leaps and bounds during the Quiet Revolution, in part because it embodied the nationalist aspirations present at the time, and because of its initial ties with Lesage (see appendix V). The FTQ, on the other hand, experienced a miserable history during the first half of the '60s. Its weakness was its affiliation to the internationals. "Son (FTQ) timide avant-gardiste depuis 1958 la laisse néanmoins à la remorque de l'idéologie de la révolution tranquille...Son nationalisme pan-canadien et son internationalisme semblent démodés face au néo-nationalisme québécois."<sup>42</sup> However, Louis Laberge's succession to the presidency of the FTQ, in 1965, soon altered the downward drift of the FTQ, making it a viable labour organization for Quebecers. In emphasizing the unique character of Quebec ("le Québec n'est définitivement pas une province comme les autres") and the economic interdependency of the modern world, Laberge brought a more pragmatic orientation to the labour movement, but nonetheless prepared the FTQ to act in order to defend workers' rights. The FTQ's ideological outlook was compatible with capitalism, so long as the workers benefited from the profits of private enterprise. Unlike Pepin's left-wing position, which saw workers in



conflict with employers at all times, the FTQ exercised a practical relationship with employers. "Tout en demeurant conscient d'une communauté d'intérêt avec le patronat, le monde syndicale considère que l'équité dans la distribution du profit est la condition fondamentale d'une approche de coopération plutôt que d'une approche de conflit."<sup>43</sup>

In view of the CSN's further radicalization, manifested in its critique of capitalism (a critique cloaked in the proverbial language of Marxists), the FTQ appeared docile. But Laberge, as a charismatic figure, succeeded in presenting the FTQ platform as a reasonable basis on which to advance workers' interests, and this is apparent in the obvious differences of membership between the two main labour organizations. (See appendix VI)

The CSN saw the state in a dual function: On the one hand, the government merely assisted in the smooth functioning of labour-employer relations, by passing legislation conducive to the proper respect of workers' rights, the setting up of arbitration boards, and as the final arbiter in drawn-out disputes. On the other hand, the government, as employer, was no different from the private employer, and so the CSN felt that only a recognition of the opposed interests of workers and government should be reflected in its posture towards the state.<sup>44</sup> The latter position has since dominated its rapport with government, and will be examined further on.

The FTQ's affiliation with the CLC has inevitably shaped its own position. As mentioned above, the FTQ maintains that it can exist in the capitalist system, and just as the CLC supported the creation of the NDP, the FTQ advocates the foundation of a provincial social democratic party. Since one has yet to be formed along the same ideological lines as the NDP, the FTQ has had to act as the spokesman of the social-democratic goals which it seeks. In effect, the FTQ sees the labour movement as divided along two plains: The first objective is socio-economic, in that the FTQ is concerned with guaranteeing the physical well-being of the worker. The second objective is socio-political - the reform of society. Now, seen in this light, it will be easier to understand the off-and-on relationship between the CSN and the FTQ, and their respective approaches in the pursuit of their objectives.

## POLITICAL TENSIONS OF THE 1970s

As already outlined, labour's relations with the government reached a low ebb after 1966. The turmoil of the late sixties is well documented: Police strikes, the burning of Murray Hill buses, the organization of taxi drivers, the Lapalme dispute with the Post-Office, student demonstrations, radicalization of labour unions (especially those under the CSN), the FLQ, and on and on. In this highly charged atmosphere, marked by violence, there was increased cooperation between the two main labour federations, the CSN and the FTQ, in their pitched battle against the federal and provincial governments. The October Crisis and the War measures Act of 1970 sparked an even greater rift between the two level of governments and the many opposition groups, including Claude Ryan, René Levesque and labour leaders, as the nationalist movement assumed greater importance. This period in Quebec's history was reflective of the tight connection between questions of nationalism and social change. In fact, the CSN's position further evolved to the point that an independent Quebec would be a necessary prerequisite for the fruition of socialist ideals. The FTQ never broached that issue, no doubt because of its affiliation with the CLC. Clearly, a line had been delineated between government and business, and the Quebec nationalists and labour groups.

Although it is tempting to see the nationalist aspirations of Quebecers as a symptom of Quebec class-consciousness, a view readily adopted by many left-wing intellectuals and often present in analysis of the labour movement, historical developments do not bear out this hypothesis. Indeed, nationalism is used by leftists for lack of an ability to articulate their own goals. Independence has been one issue the extreme left can agree on.

## THE COMMON FRONT - 1972

The La Presse strike in October 1971 created such a furor in the labour movement, that by January 1972 labour succeeded in forming a common front to force the hand of the Bourassa government in upcoming negotiations with the public and para-public sectors. The Common Front brought the CSN, the FTQ, and the CEQ together in a war against established interests, for



as these organizations saw it, the Quebec government was in bed with the bourgeoisie, an observation derived from the anti-unionism of Power Corp., La Presse's owner, and its close links with Bourassa. So tense was the climate during these years, so obvious the collision course of labour with business and government, that the Parti Québécois had to disassociate itself from the radical upsurge of the labour movement, and this after Levesque hinted the PQ would move left "to represent the people who voted for us."<sup>45</sup>

Negotiations between the Bourassa régime and the Common Front led nowhere, so that by April 1972, public services came to a halt. Bourassa sought an injunction against the strikers, and when workers refused to return to work he locked-up the strike leaders, namely Pepin, Laberge, and the CEQ president, Charbonneau. Government efforts to break the strike failed, until, in mid-May, the Front agreed to talk with the government. Throughout the strike, however, an internal squabble in the CSN was raging, eventually leading to a schism that resulted in the creation of a new union, the Centrale des Syndicats Démocratiques (CSD). CSD leaders were opposed to the strike, fearing it might alienate the movement from the public and because decisions on the strike were concentrated among the more radical elements of the CSN. By taking with them some 20,000 members, and influencing the departure of another 10,000, the CSD severely weakened the CSN.

Several points can be concluded about the Common Front strike of 1972. Both the Quebec government and business were determined to freeze the gains of labour up until that time. By rejecting a conciliatory approach towards the unions, Bourassa consciously sought to tarnish the labour movement and weaken its legitimacy. Fearing that the unions were encroaching on the power of government and on business interests, Bourassa found himself in the same circumstances as Duplessis, but unlike the Duplessis era, the union movement had evolved into a much stronger force. The Liberal régime did, however, succeed in sapping some of the strength of labour, especially by exploiting the CSN's internal rupture, which it helped foment by passing legislation designed to recognize the right of small unions to represent sectors that heretofore were the domain of centralized labour organizations.



Equally important, by drawing the battle lines so clearly Bourassa gave renewed impetus to the nationalist cause, despite Levesque's stand against the union leaders in the fall of 1971. This coupled with the media's all-out support of the Bourassa position, lended itself to a further shift to the left in the labour movement. As well, labour aggravated the situation by its loud posturing, which could not but heighten the fears of the government and business.

#### THE RISE OF THE PARTI QUEBECOIS AND LABOUR RELATIONS

Negotiations in the public sector are important because they invariably affect private sector employees. The Common Front strike of 1972, which brought together the 3 main unions (CSN, FTQ and CEQ), representing some 200,000 public sector employees, i.e., civil servants, hospital workers, teachers, maintenance workers, etc., demonstrated, to some extent, the usefulness of one body (the Common Front) voicing the same demands. In the past, government negotiated at a more decentralized level (hospitals did their own bargaining with employees, for instance). With centralized bodies representing workers, the government found itself in a much weaker position; it could not resist the strength of labour, and when it did events became ugly. The pro-business government of Bourassa was in an obvious quandary in its dealings with labour, for any union gain in the public sector would eventually spill over into the private sector. Labour merely played its cards accordingly in its strong demands for public sector employees.

With the Parti Quebecois' emergence onto the political scene in 1968, there was a tangible effort to make independence a viable political option for Quebecers. Although labour greeted the rise of the PQ very cautiously - only the FTQ actively supported the PQ before 1976 - there were many instances during which the intellectual arm of the labour movement tied independence to a socialist state. Still, most unions preferred to maintain their neutrality vis-à-vis the PQ, while calling on Quebecers to form a Workers' Party. The PQ was seen by the CSN and CEQ as a bourgeois party, for most of the labour

organizations in Quebec see the ongoing struggle between English and French-Canada as a class conflict. The question of national independence is merely seen as a means to the workers' betterment. However, the PQ's platform is nevertheless socialist-oriented. It even goes so far as to espouse "an economic system which would eliminate every form of exploitation of workers, and which would respond to the real needs of all Québécois, rather than to the demands of a privileged minority."<sup>46</sup> But to ignore the fact that the PQ houses ideals from all parts of the political spectrum would be a mistake. The party suggests, for example, that the best system would be a mixed-economy, public and private enterprise, no doubt the real reason behind the FTQ's support for the PQ.

As the official opposition, the Parti Québécois readily voiced the concerns of workers and all social groups disenfranchised from the Liberal party. So that once it came to power, in November 1976, the labour movement quickly touted the election outcome as a union victory. Labour's euphoria after the PQ victory was short-lived, and was, perhaps, better explained by the defeat of Bourassa. Six months into its term, the PQ dropped legal proceedings against labour, stemming from the 1975 common Front, but it also dashed off legislation forcing workers back to work when negotiations with the unions bogged down in early 1977. Consequently, the CSN and the CEQ were compelled to further question "the role of the state in the capitalist system":

This reorientation...does not mean that the labour movement has established once and for all the nature of its alliances. Most labour leaders believe that the real solution to the position of the working class will come when a workers' party gains power. On the other hand, they do not want to run ahead of their membership by inviting workers to oppose the PQ now.<sup>47</sup>

In his incisive analysis of the Quebec political scene, Raymond Hudon notes that the "process of polarization (between workers and employers) was clearly initiated by the labour movement." What is the meaning of this process of polarization for both labour and capital? "With the radicalization of the labour movement corporations and business in general have decided to develop closer links with the state, to organize a better defense against the workers."<sup>48</sup>



This insight is particularly noteworthy, for it explains the failure of the PQ to rally the labour movement behind the "OUI" side during the referendum. As early as 1977, the CSN was sending strong signals to the government:

...(F)ormer CNTU president Marcel Pepin, now a special adviser, caused a flurry recently when he warned that Quebec's working class would bear the brunt of economic dislocation caused by separation. (Pepin argued that) "to separate from Canada would be adventurism for Quebec workers"...<sup>49</sup>

By exercising its obvious autonomy as a social force, through a non-committal position on the question of independence, labour dealt the PQ a serious setback. Debates, to be sure, were carried on over the issue, but in the end the local councils were left to take a stand as they pleased. But it was not only labour's skepticism of PQ policies that laid to rest the chance of a hopeful outcome for the referendum; unpredictability in the course of the economy unsettled business, so it acted accordingly. With two important social forces reserving their support, the government's strategy could only fail.

#### STRUCTURE IN THE CSN: LABOUR VS. GOVERNMENT

When Norbert Rodrigue acceded to the post of president of the CSN, in 1976, he inherited quite an embattled organization. The split in 1972 seriously weakened the CSN, and, moreover, loud ideological rancour had enfeebled the CSN's need to speak with one voice. The extreme left was bitterly opposed to the CSN's disposition towards the newly elected PQ. As the left now saw it, the CSN's favorable attitude towards the PQ would compromise the workers' movement altogether - "...il est moins facile de se battre contre un gouvernement plutôt bien vu par 'l'intelligentsia'".<sup>50</sup> The leadership of the CSN's central council, for the most part, is dominated by moderate leftists; notably Michel Rioux, information officer, Pierre Lamarche, labour lawyer, and Marcel Pepin, adviser, not to forget Rodrigue. These men see a form of social democracy as the most reasonable type of politico-economic system. Although the central council of the CSN appears to be bathed in moderation, by discounting the extreme left as "une nappe d'huile sur la mer, on le croit



partout mais c'est en surface"<sup>51</sup>, they give the CSN an air of sober responsibility. But this is deceiving. The very decentralized nature of the CSN (there are 1,400 unions under 9 federations, virtually independent of the central council) has made it all the easier for the radical left-wing to pierce the movement. "C'est à la base...que se déroule la vie réelle et quotidienne de la CSN. C'est dans chacune de ses neuf fédérations sectorielles qu'on coordonne les demandes en vue des conventions collectives...Le président de la CSN, comme ses collègues de l'exécutif, n'a de pouvoir que moral."<sup>52</sup>

As it was explained above, the CTCC was guided by chaplains who were present in very union. The structure has remained essentially unchanged, save for the switch from the spiritual influence of Christian humanism to the secular power of Marxism at the core of the CSN's policies. Lysiane Gagnon captures this switch very well:

...(D)'autres Eglises, plus totalitaires que charitables celles-là, ont fait leur marque à la CSN dont elles ont infiltré tous les maillons le moins faibles: d'abord la Ligue (devenu le Parti communiste ouvrier marxiste-léniniste), en suite le groupe "En Lutte", de tendance maoïste...Quelques communistes orthodoxes style soviétique. Enfin les trotskystes (le groupe socialiste des travailleurs du Québec), plus sophistiqués, un peu moins sectaires, qui recrutent davantage chez les intellectuels. La Ligue et En Lutte sont surtout concentrés dans les services sociaux et les hôpitaux...tandis que les trotskystes sont assez influents dans l'enseignement, au sein du réseau des cégeps après avoir longtemps contrôlé le syndicat des professeurs de (UQAM)... Le marxisme est la nouvelle religion des jeunes militants. Plus militants, justement, que la moyenne, ce sont eux souvent qui se font élire aux postes peu convoités de délégués syndicaux.<sup>53</sup>

The very radicalism of the CSN's base (and that of the CEQ) has left no room for compromise in its relations and bargaining with the government. The inability of the moderate leftists to articulate their goals, to organize effectively, has made it difficult for the CSN not to confront government. Witness the last bout between CTCUM transit workers and the government in January 1982. Just as the PQ government passed Bill 47 to force the Montreal transit workers to return to work, similar measures were employed

to avert strike action in the public sector in early 1980. At that time, the PQ passed Bill 62, extending the negotiations among public sector unions, perhaps to maintain social peace before the referendum, but equally probable because of the stringent demands of the unions during periods of economic austerity. Even so, the CEQ broke the law and went on strike.

The tendency of the CSN and CEQ to come to agreements with their employers only after strike action is in perfect harmony with their ideology.

"Ni Robert Gaulin, président de la CEQ, ni Norbert Rodrigue, président de la CSN, ne pouvaient admettre qu'une convention collective soit signée sans qu'il n'ait eu une grève. C'est une question de principe. L'idéologie de ces centrales, contrairement à celle de la FTQ, estime que les négociations collectives, au niveau de l'Etat, sont un acte politique, une épreuve de force entre des intérêts divergeants..."<sup>54</sup>

In contrast to the Bourassa years, when it was the Liberals who confronted labour, thus uniting the labour movement, the PQ is now being confronted by the extreme left. And this has been evident since 1977. Consequently, the labour movement now finds itself in a state of crisis.

#### DRAWING THE BATTLE LINES

Upon the PQ's second election victory in 1981, the Financial Post was quick to warn that the "PQ's victory guarantees a shift to left."<sup>55</sup> In a way the Post was wrong, for it was not the PQ which was threatening to move to the left - it was labour guaranteeing greater radicalization. Prior to the Parti Québécois' first electoral success, labour had an ally in the PQ as the official opposition. The dichotomy between the PQ's nationalism and labour's left-wing inclinations was not as hard felt. In fact, the two were conceivably compatible. But once in power, PQ nationalists, notably the technocrats, found themselves at odds with labour, if only because labour, specifically the CSN and CEQ, would be against the government no matter who was in power (except for a true socialist party!). It is no wonder the CSN-CEQ did not back the referendum.



The Common Front of 1979-80, as a consequence of the wide divergence in views, highlighted the divisive strains in labour. As mentioned, the PQ passed bill 62 extending the negotiation dead-line in the public sector by several months. The FTQ used the opportunity to conclude an agreement with the government for its public sector union. The CEQ and CSN defied the law and yet they did not get any better a deal for their public sector employees. George Allaire notes that "utiles ou inutiles, ces grèves furent limitées, morcelées et incohérentes en comparaison aux grèves des précédents fronts communs...Suite à cette diversité d'options entre les tenants de la concertation nationale (FTQ) et ceux de la division nationale (CSN-CEQ), le monde syndical est maintenant en situation de déstabilisation."<sup>56</sup>

Unable to properly voice its concerns, and feeling the pinch of disunity, the far left has decided to take a plunge. As it has always been decided about its goals, the radical-left had no trouble clarifying its demand for an independent and socialist Quebec. The call for concerted political action came in the "Manifeste du Mouvement pour un Québec socialiste, indépendant, démocratique et pour l'égalité entre les hommes et les femmes" issued by the Comité des Cents in October 1981. Most notable of the Cents is Marcel Pepin. That the leaders of the labour movement feel they are floundering in a sea of bourgeois capitalists is beyond question. The Manifeste is indicative of labour's failure to enlist some political party to represent its progressively leftist views. Budget cutbacks and the need for an infusion of capital in the economy have left labour in the lurch. Any consideration of labour's present dilemma must take into account that the radicalism of key sectors of the union movement has pitted various labour interests against each other.

Laberge's organization, the FTQ, while apparently weathering the crisis that plagues the main public sector unions, is being driven perilously close to the CSN-CEQ. Despite the FTQ's support of the PQ, there is the danger that the drawing of swords between the government and the CSN-CEQ will ultimately affect private sector employees, the stronghold of the FTQ. The Parti Québécois has indicated that it will come down hard in further negotiations with the public



sector, and if it does, one can be certain the FTQ (and the CSD which walks in Laberge's shadow) will put some distance between itself and the government, and slip over to the left more so than the past. The PQ's latest confrontation with CTCUM workers succeeded in bringing all 3 union centrals to condemn the state. Bourassa clearly demonstrated that an attack on the public sector could not but unify labour, since the ramifications always pervade the private sector.

#### A PARTI OUVRIER DU QUEBEC?

It is no secret that, ideally, most labour bodies would like to see a Workers' Party. No serious political party in Quebec, the PQ nor the opposition Liberals, is prepared to deal on equal terms with labour. Fractured as it is, the labour movement finds itself frustrated and ineffective in this time of hard economic reality, so it has resorted to a radical voice. Certainly the extreme left's sentiments are not shared by all, even though the main organizations might be given to forceful expression of their disenchantment, but the steadfast positions of government, the media (viz., the transit strike) and, of course, business in face of the rising tide of labour discontent can only hope to spread the idea of radical solutions. A Political party representing the workers might be seen as a solution to the clarification of positions. Indeed, leftist intellectuals see this option as the only serious alternative:

...(C)ette guerre de tranchées, à la longue, pourrait bien s'enliser, s'il ne se manifeste dans la société, en dehors des structures syndicales, d'autres forces sociales, capable, tout en appuyant le mouvement syndical, de mener la lutte sur les terrains où ce dernier n'est objectivement plus en mesure de la poursuivre. Bref, il faut qu'une force politique suffisamment ample et articulée prenne la relève pour porter le débat social là où il doit inévitablement finir par aboutir: au niveau politique, face aux pouvoirs en place.<sup>57</sup>

However, it is hard to see how an open, and very public struggle between the labour movement and the government's allies can be resolved in an open struggle between political parties. Such a move would be merely a shift on

the battle field. The same problems would exist, and there would be the very real risk of the institutional entrenchment of differences. A scenario of this kind can only aggravate the tensions.

## CONCLUSION

The early phase of the labour movement, as we have seen, is characterized by its search for identity. The movement was successfully contained until World War II, when new leaders and ideas infused the CTCC with a vigour until then unseen. The parallel growth of international and Catholic unions, and the centralizing tendencies of the movement reinforced its power vis-à-vis opposing forces. By the mid-sixties, labour had matured enough to effectively wield this power, and today, strongly conscious of the weakening effects of disunity, it is making a radical bid to thwart the onslaught of "hostile" forces like government, media, and business.

But the ultimate question is whether the labour movement can ban together as a unified whole, and maintain this unity. Historically, labour has been divided; common fronts have always been temporary, and the constant bickering among leftists only serves to demonstrate the "myth of the left", in Raymond Aron's words. Today, the PQ government is deliberating whether or not to take away the public sector's right to strike. Has the labour movement abused this right? Certainly, the only meaningful weapon possessed by labour is the "strike". What would be labour's recourse if it could not conclude a satisfactory agreement for public sector employees with the government? These various questions offer a lot of material for debate and speculation. The PQ proved that many divergent voices with at least one agreeable goal, independence, could come together under one banner. Now it is up to the labour movement to prove that it, too, is up to the same task.

## APPENDIX I

Breakdown of unions based on their respective affiliations in Quebec and Ontario, 1880-1897.

	1880		1890		1897	
	Quebec	Ontario	Quebec	Ontario	Quebec	Ontario
International	10	42	30	146	47	193
Knights of Labour			30	51	25	4
National	<u>12</u>	<u>17</u>	<u>29</u>	<u>22</u>	<u>31</u>	<u>35</u>
Total	22	59	89	219	103	232

\*Source: Jacques Rouillard, Les Syndicats Nationaux au Québec, 1900-1930.  
Quebec: Presses de l'Université de Laval, 1979, p.15

## APPENDIX II

Union membership and union affiliates of the CTCC, 1921-1931.

	Affiliated Unions	(Declared) Official Membership	Members Estimated	% of Quebec Unions
1921	120	45,000	17,600	24.1
1926	103	25,000	15,450	20.2
1931	121	25,151	15,587	21.6

\*Source: Jacques Rouillard, Histoire de la CSN: 1921-1981. Montréal: Boréal  
Express, 1981, p.67.

## APPENDIX III

Number of Union affiliates and total union membership in Quebec, 1921-1931

	International union affiliates	Catholic union affiliates	Total union Membership
1921	334	120	72,761
1926	314	103	76,140
1931	286	121	72,144

\*Source: See Appendix II.



## APPENDIX IV

Union membership and union locals affiliated with the CTCC, 1946-1960.

	Union Locals	Total Membership	% of Quebec Unions
1946	338	62,960	24.2
1951	410	88,081	31.5
1955	415	97,176	29.4
1960	442	94,114	22.6

\*Source: Jacques Rouillard, Histoire de la CSN: 1921-1981. p.167.

## APPENDIX V

Union membership and union locals affiliated with the CSN, 1960-1981.

	Union Locals	Total Membership	% of Quebec Union Membership
1960	442	94,114	22.6
1966	799	204,361	34.5
1970	867	205,783	29.2
1972	1102	216,560	29.4
1976	1083	160,287	18.8
1981	1493	223,600	—

\*Source: Ibid., p.218.

## APPENDIX VI

Total membership of the FTQ and CSN respectively, 1965-1979.

	FTQ	CSN
1965	141,000	204,000
1968	215,000	218,000
1970	225,000	207,000
1972	233,000	219,000
1978	300,000	178,000
1979	320,000	220,000

\*Source: Fernand Harvey, Le Mouvement Ouvrier au Québec. Montréal, Boréal Express, 1980, p.287.

## FOOTNOTES

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26. Rouillard, Les Syndicats Nationaux au Québec, op.cit., p.228.
27. See Rouillard, "Mutations de la (CTCC)...", op.cit., p.381.
28. Ibid., p.383.
29. See Quinn, op.cit., pp.90-91, and Rouillard, Histoire de la CSN, op.cit., pp.180-181.
30. Rouillard, ibid., p.181.
31. P.E. Trudeau, ed., The Asbestos Strike. Trans. by J. Boake, Toronto: James Lewis and Samuel, 1974, p.63.
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33. Rouillard, "Mutations...", op.cit., p.384.
34. Trudeau, op.cit., p.66-67.
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THE POLITICS OF ORIGINAL SIN:  
ST. AUGUSTINE'S TWO CITIES

LYALL BUSH

St. Augustine's world is characterized primarily by the pervasiveness of sin. Despite the interesting personal reasons he may have had for viewing the world so disdainfully, Augustine provides a more important historical cause -- the Fall. This initial cataclysm propelled man from his halcyonic golden period in Eden into the world of time and change, and led by necessity to a re-ordering of society to correspond with its altered context. Fairly explicit political ramifications, in short, stem from original sin. The new order becomes one of duality; and, if all men identify Adam as their common ancestor, this duality finds its most evocative expression in Cain and Abel. Born out of the unity of Adam and Eve (the unity of the spiritual and the earthly found in the Garden) the brothers represent the two propensities of the fallen human soul; the love for God and the love for self. For Augustine there is no provision for a sceptical stance: one does not disengage himself from political life; he cannot -- his very act of living is political. In so far as it is the inner life that concerns Augustine, each man's soul belongs either to the city of God or to the city of man, and he is a citizen of that city, with all that this implies.

Augustine's view, is an absolute one. Predestined from birth to follow one of two paths, no man escapes inclusion in God's plan. At the same time, each actively participates in his life through the type of will he possesses. This social and political system, then, contains two elements: God's plan

and man's will. In their combination, or perhaps in the working out of the tension between the two, lies the political theory of St. Augustine.

In the fourteenth book of City of God, Augustine outlines the nature of fallen man's predicament. Forgetting for a moment that God pulls the strings in creation, Augustine observes that men love either God or self. (later these two loves take on a metaphorical quality: "Jerusalem" is the Church, or love for God and the spirit; "Babylon" is the State or love for the flesh.) He writes: "Man's will is all important. If it is badly directed, the emotions will be perverse; if it is rightly directed, the emotions will be not merely blameless but even praiseworthy."<sup>1</sup> Man's will, then, is free; it chooses to turn away from or toward God. But Augustine shortly qualified this freedom: "...it's choice is free only when it is not a slave to sin and vice. God created man with such a free will, but once that kind of freedom was lost by man's fall from freedom, it could be given back only by Him who had the power to give it."<sup>2</sup> This suggests that freedom is not a possibility in this world, though it does exist and might be achieved through the grace of God. A further corollary suggests that sin and vice flourish in the absence of God's grace. The fallen man, then, characterized by corruption, must lack a free will; those citizens whose love holds a natural propensity for the self certainly, according to St. Augustine, cannot possess an unrestrained will. We might point to this flow as the characteristic absence in 'Babylon'.

Augustine reveals in this same book why God's plan includes such gloom: "...because both in sinners and by means of them He could reveal how much was deserved by their guilt and condoned by His grace, and also, because the harmony of the whole of reality which God has created and controls cannot be marred by the perverse discordancy of those who sin."<sup>4</sup> A contradiction appears to emerge from this statement. In the previous paragraph it was concluded that free will does not exist in the lives of those enslaved in sin. Yet, here, Augustine claims that God's good prevails, a notion which implies that grace ultimately fills the world, as does free will and, indeed, freedom. But perhaps there is another angle to consider -- the historical nature of his system. Augustine's terms are absolute ones; consequently, his history leads to ultimate ends. When he speaks of the triumph of God's good, then, it is in the final sense. Copleston writes: "to the Christian history is necessarily of profound



importance. It was in history that man fell, in history that man was redeemed: it is in history, progressively, that the Body of Christ on earth grows and develops and that God's plan is unfolded."<sup>5</sup> Truth reveals itself at the end of time. Meanwhile, there is the present, fraught with sin, uncertainty and wrong-thinking. In this present, too, though, some live in the eternal -- those who belong to God even while their souls live out meaningless existences trapped inside their bodies.

The two cities occupy two entirely distinct and independent spheres within the same world; that is, the temporal world possesses both cities to the extent that there is a Church and a State, each defined by the type of soul that belongs to it. In his introduction to City of God, Etienne Gilson maintains that "taken in its strict meaning . . . there exists and can exist but a single city. . . the City whose head is Christ."<sup>6</sup> In making this statement, he writes in the abstract. Practically speaking, there remains the day to day politics of this bifurcated world, and it is this practical situation which concerns us for the moment.

Given the irrevocable nature of the Fall and the necessity of recovering the lost beatitude, Augustine, it would seem, follows the Stoic tradition. With the appearance of sin, men pass out of the state of nature: they become avaricious and covetous. As a result, there arises a need for institutions to curb and regulate the rise of struggle for possession and the accompanying disorder and chaos. The need for institutions is made evident by defects in human nature; institutions cannot be hailed as signs of progression in human achievement.<sup>7</sup> In fact, the Augustinian mode of thinking indicates that although human history may progress in time it does not progress morally or spiritually. The governments created by men can never be noble, but only bodies of prevention and defense. In spite of this overwhelming fact, A.J. Carlyle holds that "institutions are not, properly speaking, sinful, but rather the remedy for sin."<sup>8</sup> Government is a divine institution because God proclaimed the need for institutions when he set one man over another. Indeed, God makes use of sinful ambition "to create some system of order and of discipline in society by which the graver vices of men may be restrained, if they cannot be wholly eradicated."<sup>9</sup> Optimism, it might be suggested, sometimes requires the aid of sophistry to make its point. Government, even as Carlyle paints it, can only



be a negative factor in society; it does not celebrate, or even encourage, the human spirit, but only inhibits it, restrains it, reigns it in chomping at the sinful bit. Government for Augustine, we must conclude, is not a remedy for sin, it is one of its symptoms. The very fact that the majority of men, chained to vice, retain no free will, makes the argument fairly undeniable: without free will, men cannot choose to be different than they are, and are committed, therefore, to the soul's depravity. Any institution would of necessity be required to counter such a situation, making it antagonistic towards men, not supportive.

There is a community of men, however, whose souls, while living in the temporal world (through their bodies) belong to the eternal city. These men form the Church. Although it is subordinate in so far as the laws of the State govern everything within the State's boundaries, essentially it is an independent body. Thus, those belonging to the Church are free to cultivate their love of God as the others indulge their baser love. Their souls are free, ordered and directed beyond the self; as a corollary of this last characteristic, emphasis falls on the community rather than the individual. St. Augustine's ideals concerning the true society or commonwealth is based, as we shall see, quite unsurprisingly, on the Church's organization. It will be important to keep in mind these differences between Augustine the realist and Augustine the idealist in order to decide which provides the more correct reading of his political theory.

Augustine the idealist reveals himself most explicitly in his discussion of happiness. The Platonist tradition he inherited from St. Paul also becomes obvious at this point. Philosophers, he says, in Book XVIII of City of God, "in all their laborious investigations, seem to have had one supreme and common objective: to discover what manner of living is best suited to laying hold upon happiness. Yet, they have ended up by disagreeing -- disciples with masters, and disciples with fellow disciples. Why, except that they sought the answer to their question merely in human terms, depending solely upon human experience and human reasoning?"<sup>10</sup> Human happiness, to St. Augustine, is a very limited experience in that it does not participate in the transcendent happiness of the divine (promised to those in the Church). Augustine concludes:

"What does it all go to prove except that human unhappiness cannot get very far along the road to happiness unless divine authority shows the way."<sup>11</sup> But the fact of the matter is that 'human unhappiness' cannot be anything more than it is, for it is the spawn of Adam and of Cain. For citizens of the city of God, true happiness is unavoidable, as it is defined as the experience of the good (which is eternal life). "For," Augustine writes, "as soon as a man reaches the ultimate good, this at once makes him happy."<sup>12</sup> The ideal state makes this its ultimate end; however, the ideal is unattainable except in the city of God, which, in its most supreme incarnation, cannot be a part of this life. At the same time, we understand Augustine to mean that man must bring his corrupt world as close to this ideal as he can. Man is caught between desiring to construct an ideal life on earth and knowing it is a human impossibility, and that he is consigned, at most, to a sham happiness.

If the supreme end of man is qualified infinitely by sin, it is no surprise that pleasure and virtue are as well. It is vain, says St. Augustine, to seek pleasure, serenity, a combination of both, or the exigencies of human nature on earth or in human nature:

As for the primary satisfaction of our nature, when or where or how can they be so securely possessed in this life that they are not subject to the ups and downs of fortune? There is no pain of body, driving out pleasure, that may not befall the wise man; no anxiety that may not banish calm. A man's physical integrity is ended by the amputation or crippling of any of his limbs; his beauty is spoiled by deformity, his health by sickness, his vigor by weariness, his agility by torpor and sluggishness.<sup>13</sup>

Even the basic pleasures cannot find lasting form in the world of time and decay. The four virtues are no different: "what is the life of virtue save one unending war with evil inclinations, and not with solicitations of other people alone, but with evil inclinations that arise within ourselves and are our very own."<sup>14</sup> The four virtues, because they occupy a nobler aspect of the mind, are dealt with in greater detail. Temperance, the virtue of resisting lusts of the flesh by the spirit, must ultimately lose the battle in mortal life; the very fact that its role is battling the corruptions of the flesh tends to root it in the city of men, to define it in terms of what it resists. Prudence, claims Augustine, "bears witness to the fact that we are



surrounded by evil and have evil within us,"<sup>15</sup> since it seeks primarily to distinguish good from evil in order to avoid evil. Prudence, we observe, is defined by its relation to evil as well.

The third virtue, justice, is more important for the state. As Polemarchus suggested in The Republic and as Aristotle advised, Augustine defines justice as the giving to each that belongs to him. "And this holds for the right order within man himself, so that it is just for the soul to be subordinate to God, and the body to the soul, and thus for the body and soul taken together to be subject to God."<sup>16</sup> The hierarchy in society partially grows out of, partially reflects the hierarchy in the individual. This hierarchy, however, is imperfect, for a man may not have God in his thoughts and so his soul will not be subject to God; likewise his flesh will be less subordinate to his soul. Without the proper observance of the hierarchy in society it is difficult for each to be given what belongs to him, and so happiness cannot be found through justice; sin undermines the effectiveness of justice as well.

The fourth and final virtue of fortitude is dismissed as decisively:

Is not [fortitude's] very function -- to bear patiently with misfortune -- overwhelming evidence that human life is beset with unhappiness. . . . [The Stoic's] kind of sage -- an astonishingly silly sage indeed -- may go deaf, dumb and blind, may be crippled, wracked with pain, visited with every imaginable affliction, driven at last to take his own life, yet have the colossal impertinence to call such an existence the happy life!"<sup>17</sup>

In four fairly decisive strokes Augustine the realist cuts away the projected ideals of the city of man, and makes absurd the arguments of Augustine the idealist concerning the nature of happiness. He literally leaves nothing man-inspired standing; he sums up: "it is because the philosophers will not believe in this beatitude which they cannot see that they go on trying to fabricate here below an utterly fraudulent felicity built on virtue filled with pride and bound to fail them in the end."<sup>18</sup> The two cities thus are not just independent, they are quite antagonistic. One might



point to the battles, centuries later, between Church and State, but this would be anachronistic. Augustine's cities conflict in a much more abstract way: it is the struggle between spirit and flesh within man that he speaks of, as much as that between 'Jerusalem' and 'Babylon'.

From this extended descriptive section on pleasure and virtue it is possible to see clearly Augustine's attitude toward the goals and values of this world. In fact, it can be summarized in one word: scathing. Writers like Copleston and Carlyle, who maintain that government for Augustine is a positive reaction against sin, rather than the outgrowth of sin, here find themselves face to face with the text itself, discovering that it betrays their optimistic interpretation. Augustine is only sanguine with regard to the heavenly city which he sees ultimately triumphant; it is impossible to view his attitude toward the world of flesh in the same light. His denunciation of earthly virtues, man's noblest goals, proves them filled and defined by sin and thereby hopeless as agents by which men may seek the good and find happiness.

After this obloquy, to paraphrase T.S. Eliot's widely quoted phrase, what forgiveness? Deprived of grace, earth-bound man grows lustful, inept, ridiculous and pathetic. Add to these, aggressive and domineering. Left without the freedom to seek beatitude, man's will naturally turns upon other men. The student of political philosophy may at this stage find a corresponding analysis of man in Hobbes's work, Leviathan. This work sees unchecked aggression as man's original state, a condition which was shaped by the weaker, through a contract involving the exchange of sovereignty for protection, into a state whose ultimate purpose was the preservation of each individual and his property. Augustine sees a somewhat different picture. It is man's aggression that creates the governing body, he feels, for man ultimately wishes nothing more than to institutionalize his desire to dominate his fellow creatures. Human government, therefore, is unnatural in that it grows out of the unnatural condition of sin, the coercive; for, in seeking to dominate other men, it obviously must use both physical force and the coercive power of a legal apparatus.<sup>19</sup> The notion of justice appears to matter little to St.

Augustine. In keeping with his dual philosophy of spirit and flesh, and true and false happiness, Augustine also sees a true and false justice. The Romans, for instance, if they prided themselves on a government defined by justice (Cicero said it was not a government if it was not founded on justice<sup>20</sup>), had no government at all. Since it was not a Christian state it took no part in true justice:

Let us see. Justice is the virtue which accords to each and every man what is his due. What, then, shall we say of a man's 'justice' when he takes himself away from the true God. . . . Is this a giving to each what is his due?. . . how can a man who removes himself from the overlordship of the God who made him and goes into the service of wicked spirits be just?<sup>21</sup>

Man cannot practise justice when he removes himself from God's heavenly city, and "a people devoid of justice is not such a people as can constitute a commonwealth."<sup>22</sup> True justice, then, exists in the abstract for the temporal world, just as the city of God, as manifested by the Church, is more a mode of thought than any concrete, 'lived' existence. Likewise, the ideal political arrangement is really no arrangement at all, but a community of the devoted -- spiritual athletes, as it were, in training for the life of blessedness. One recalls Plato's philosopher-kings who were to spend their lives seeking another, more rewarding existence. The best this world can offer is a compromise in which, alienated from God and living in moral darkness, men can seek a virtuous life through strict control of the body and its passions, and fight a continuous battle against themselves and their fellow men in order, paradoxically, to attain a brief and precariously ephemeral peace.

To conclude, Augustine's political theory does not provide an immediately evident, or even coherent, body of thought. Rather, it must be inferred from his voluminous theological writings. As a result, it is quite otherworldly and rarely addresses real political concerns. Essentially it is a theocentric theory. Man's condition is considered in Christian terms, with regard to his soul ; this soul belongs absolutely to one or the other of the two cities



and indeed has been predestined to do so. The soul of one is characterized by its will to dominate and to possess, by its desires; the soul of the other is serene, free, seeking God. The former creates an ignoble political entity, uninformed by pleasure, virtue or happiness; private possession, coercive law, servitude and injustice form the elemental components of this state. The latter forms a community in which the individual will desires only to please Christ, its king; each member of the community is free, equal, and lives a just life filled with premonitions of peace and true happiness. Neither version, of course, is true (though Christians would be quick to see, in the description of the Church, a prefiguring of the heavenly city), but Augustine's point of view, typical of the Middle Ages in its lack of concern for realistic representation, precludes the consideration of human truths lying between the two: his vision of the supernatural derivation of evil and man's paradoxical relationship with it (man is bound to evil by birth and cannot transcend it, though for his salvation he must) reveals Augustine to be more concerned with abstract archetypal truths than mutable, terrestrial ones.

In the end, his political ambiguity makes two interpretations possible. One infers that government, private property, and servitude are positive steps taken by man to redress the corruption of his Godless soul. The other sees that government and its coercive power is necessary to check and control the will of man, as it is enslaved by vice and other evils. The text must finally provide the last word. There we find Augustine railing against sin and its consequences in page after page in a kind of irrationally logical contumely. We cannot help, then, to agree with the latter school of interpretation. In St. Augustine's world, man largely is untrustworthy and evil; he must forever be watched, restrained and protected from himself.



## FOOTNOTES

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